

Kashmir: A Comprehensive Study



Historical Narratives,
Contemporary Dynamics &
Future Prospects

Dr Rubina Mittal & Kunal Singh

RIGHTS AND PERMISSIONS

The material in this work is subject to copyright. World Intellectual Foundation encourages dissemination of its knowledge, this work may be reproduced, in whole or in part, for commercial or non-commercial purposes as long as full attribution to this work is given.

Attributions: Please cite the work as follows:

Mittal, Rubina & Singh, Kunal. Kashmir Through the Annals of History, World Intellectual Foundation.

The cutoff date for the data used in this report was DECEMBER, 2023.

AUTHORS

Dr. Rubina Mittal, Director of Research and Innovation, World Intellectual Foundation

Kunal Singh, Senior Research Fellow, World Intellectual Foundation

About Us



The World Intellectual Foundation (WIF) is a global non-profit, non-partisan think tank headquartered in Delhi. It works on diverse topics and themes to promote global Peace, Prosperity, and Sustainability.

The objective of the Foundation is to encourage and assist individuals, organizations, and governments in implementing research-driven ideas that are bold, innovative, and pragmatic.

Our approach is to catalyse policy initiatives with dynamic and holistic recommendations that are implementable.

Some of the prominent policy papers that we have published are :

- a. Draft Culture Policy for India: A Framework
- b. Mother Earth Is Terminally ILL
- b. Human Potential or Capital
- c. Civilization By Design



Dr. Rubina Mittal

Director of Research and Innovation

Dr. Rubina Mittal is an accomplished professional serving as the Director of Research and Innovation at the World Intellectual Foundation (WIF). She is a Professor of Operations Research at University of Delhi.

As an esteemed mathematician, Dr. Mittal possesses exceptional skills in handling complex datasets and mathematical modelling. Her proficiency in these areas has allowed her to tackle challenging research problems and drive innovation within the foundation. In addition to her responsibilities at WIF and Delhi University, Dr. Mittal actively contributes to various organizations and committees, further establishing herself as a thought leader in her domain. She supervises numerous Ph.D. students, fostering their academic growth and nurturing their research potential, her extensive academic experience has uniquely positioned her to craft innovative, thought-provoking, and contemporary policy papers for the foundation. Her insights and expertise contribute significantly to the shaping of intellectual discourse.

Beyond her professional accomplishments, Dr. Mittal actively engages in promoting Gandhian values globally through her role as a core member of Gandhi Smriti and Darshan Samiti, an organization chaired by the Prime Minister of India. She also serves as the Co-Chair of the Education Committee at the PHD Chamber of Commerce and Industry and holds an executive position within FICCI's Education Committee. As a trustee on Sleepwell foundation, she has developed many popular skill development courses at their skill centre in Khurja. Her diverse involvement in various influential organizations, makes her an invaluable asset to the World Intellectual Foundation and a significant contributor to the advancement of knowledge and societal progress.

Management



Mr. Basant P. Gupta

Director, WIF

An IIM-B graduate and seasoned engineer, he brings over 22 years of rich experience in the Information Technology and Outsourcing Industries. Renowned for spearheading Business Transformation initiatives across diverse verticals and consistently ensuring the timely delivery of assignments. Mr. Gupta proficiency in business analysis, strategic planning, client relationship management, and program management has played a pivotal role in driving the expansion of WIF projects.



Ms. Hemangi Sinha

Senior Project Head

With an extensive legal career spanning over 23 years at the Allahabad High Court, Ms. Sinha has embarked on a transformative journey into the Social Sector. Demonstrating a commitment to alleviating the sufferings of the underprivileged, she has founded her own foundation. Ms. Sinha brings her wealth of legal & spiritual expertise to WIF, where she has joined a project focused on examining the operations of various social and cultural organizations worldwide.



Mr. Rahul Kumar

Technical Head

Mr. Kumar serves as the technical backbone of the foundation, showcasing exceptional expertise in data management and fluency in Geographic Information System (GIS). With a noteworthy background, he has previously contributed significantly to the launch of the first Indian interactive digital mapping portal during his tenure at MapMyIndia. His invaluable technical skills contribute to the foundation's mission and initiatives.

Our Team



Mr. Pravin Kumar Singh

Senior Project Associate

Pravin is a law graduate from Faculty of Law, DU and holds a Bachelor Degree in Mathematics from Ramjas College, DU.

He has worked with different legal scholars and eminent jurists on different projects. A testament to his scholarly endeavours, his recent contribution to the International Journal of Science and Research graces its pages as a profound opus titled "Studying different Aspects of Population Policy," thereby exemplifying his dedication to scholarly research.



Mr. Kunal Singh

Senior Research Fellow

Kunal is an enthusiastic advocate for justice and a Sanskrit Scholar. Kunal has completed his Bachelor's and Master's in Sanskrit Literature from St. Stephen College and is currently a student at University of Delhi's Faculty of Law.



Mr. Apaar Wadhwa

Junior Research Fellow

Apaar, a capable policy researcher and data analyst specializes in the domain of public policy and administration. Apaar holds Bachelor's in Economics and Master's in Public Administration.

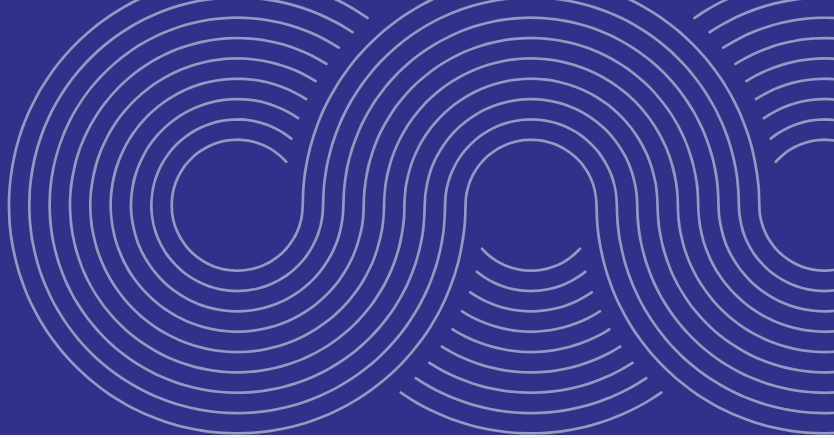


Mr. Nitesh Birje

Technical Assistant

Nitesh is a dedicated team member with a keen interest in technology-oriented initiatives. His forte lies in graphic design, making him the creative force behind our visual endeavors.

TABLE OF CONTENTS



1

KASHMIR, KASHMIRIYAT AND KALEIDOSCOPIIC TURMOIL

01 - 04

Kashmir and Its Origin
Peaceful Coexistence of Faiths
The Expanding Dynasties
Treaty of Chushul 1842
Treaty of Lahore 1846
Treaty of Amritsar 1846
The Rise of Sheikh Abdullah

2

PARTITION, ACCESSION & DISSATISFACTION

05 - 12

Operation Gulmarg and PoK
Barbaric British
Proxy Wars, UN Interventions and Dixon Plan
Dividing the Divided
The Menace of China
Operation Gibraltar

3

EXODUS

13 - 15

Accords After Accords
Elections of 1987
Operation Tupac
The Beginning of Departure



4

A TURBULENT PERIOD

16 - 20

Political stability in question

The Nuclear Tests

The Kargil Conflict

Overall Political Scenario

Overall Economic Scenario

Overall Social Scenario

5

ARTICLE 370

21 - 23

Reading of Article 370

Detailed Analysis

Understanding Article 35A

6

BJP, ARTICLE 370 AND ABROGATION

24 - 31

BJP's Agenda

Events Leading to Abrogation of Article 370

The Abrogation

Aftermath

Human Rights, Militarisation, and Security Challenges

7

KASHMIR - ON THE PATH OF HEALING

32 - 35

8

REFERENCES

36



THE KASHMIR

INTRODUCTION

Nestled in the heart of the Indian subcontinent, the region of Kashmir has long been a place of captivating beauty and enduring conflict. Its geographical location, cultural diversity, and historical significance have shaped its tumultuous journey through the annals of history. This article delves into the multifaceted story of Kashmir, examining its historical background, the prelude to the abrogation of Article 370, the seismic event of its revocation in August 2019, and the ramifications of these actions on the region.

Kashmir, often referred to as "Paradise on Earth," boasts a breathtaking landscape with snow-capped peaks, lush valleys, and pristine lakes. This region's natural beauty is accompanied by a rich cultural tapestry, where various ethnic groups, languages, and traditions coexist. At the crossroads of South and Central Asia, Kashmir's strategic importance has made it a geopolitical hotspot, with its contested status fuelling tension between India, Pakistan, and China.

Central to our examination is the impact of Article 370's instation and abrogation on Kashmir. This provision in the Indian Constitution granted the state of Jammu and Kashmir a unique degree of autonomy and special status. The repercussions of its removal are far-reaching, touching on political, social,

and economic aspects, and have raised profound questions about the future of this troubled region.

This research paper seeks to unravel the complex tapestry of Kashmir's history and the far-reaching consequences of the abrogation of Article 370. It explores how the historical roots of the Kashmir conflict, the region's diverse demographic and religious makeup, and key events such as the Kashmir Wars have contributed to the ongoing tensions. By delving into the pre-abrogation era of Article 370, we aim to understand its profound influence on the political, social, and economic dynamics within the region. The paper also investigates the events leading to the abrogation, the mechanisms used to implement this change, and the underlying political motivations. It further scrutinises the immediate aftermath of the abrogation, international perspectives on the issue, human rights and security concerns, and the most recent developments in the Kashmir region. Finally, it offers insights into the intricate web of political, social, and economic factors that shape the future prospects for Kashmir. Through this exploration, we aim to shed light on the complex and contentious issues that continue to affect this region and its people.

CHAPTER - 01

KASHMIR, KASHMIRIYAT AND KALEIDOSCOPIC TURMOIL

1.1 Kashmir and Its Origin

Kashmir, rich in rivers, lakes, glaciers and rolling grasslands, a point of entry over the Himalayas into the subcontinent, is an ancient land invaded by many, occupied by some and ruled by a few. Kashmir's rich history is marked by its legacy as an independent kingdom, a land that challenged those who sought to control it. Shrouded in myth and chronicled in the Puranas, Kashmir has always been a realm of captivating legends.

Nestled between Jammu and Srinagar, the town of Buzilaz is thought to have taken its name from the legendary Alexander's horse Bucephalus, which is believed to have been buried in this area during Alexander's time. According to one account, Sage Kashyapa played a role in transforming the Baramullah valley by draining a vast lake, providing a refuge for his people, hence the name Kashyapa-mir, or Kashmir. Another narrative attributes the origin of Jammu to King Jambu Lochan, who, captivated by the region during a hunting expedition near the River Tawi, established a town named after himself.

1.2 Peaceful Coexistence of Faiths

Throughout its history, the valley has been marked by the influence of various religions. Initially, it was a renowned centre of Shaivism. Subsequently, Buddhism was introduced by Ashoka, and the two faiths coexisted harmoniously. Kalhana's Rajtarangini extensively documented Buddhism's prominence in the region, noting its migration over the mountains to China.

Kashmir had long served as a gateway for traders, scholars, and invaders entering the Indian subcontinent, introducing Islam through the Khyber Pass. Shah Mir, an immigrant, ascended to establish the first Muslim Dynasty, the Sultan Dynasty, which endured until the 16th

century. Islam gained prominence in the valley, with some rulers leveraging political influence to propagate it. During this period, Sheikh Noor-ud-din Noorani, a revered saint in Kashmir, resided in the valley, introducing Sufism and promoting coexistence. Even today, the tomb of Nund Rishi in the town of Charari Sharif remains a significant pilgrimage site across various faiths.

In the mosaic of faiths that characterized Kashmir, the ethos of tolerance and inclusivity, embodied in the concept of Kashmiriyat, transcended the dominance of any single religion. Kashmiriyat became an identity that would later be "sung by bards, quoted by poets and internalised by people". The spirit of Kashmiriyat extended to the culinary realm, reflected in the region's cuisine known as Wazwan, where ingredients were chosen to be acceptable across all faiths.



During the Shah Mir dynasty, Hindus in Kashmir found themselves in the minority. The Brahmins, traditionally inclined towards education, adapted to the constant influx of visitors by mastering the language of trade and exchange, particularly Persian. This linguistic proficiency allowed them to serve Muslim rulers for centuries, establishing a community ruling

bureaucrats. In contrast, the majority of Muslims were primarily involved in artisanal and agrarian pursuits. Despite the Brahmins' assimilation into the Islamic culture, they maintained a stronghold on economic power due to their superior education - a nuanced trade-off that hinted at future dynamics.

1.3 The Expanding Dynasty

In the 16th century, the Mughals arrived and supplanted the Sultan dynasty. They ruled Kashmir for two centuries until the Afghans took control. Under the Durrani dynasty of Afghanistan, religious oppression prevailed, but this situation underwent change. In the early 19th century, the Sikh army, led by Maharaja Ranjit Singh, captured the Kashmir Valley. This marked the first time in nearly 500 years that the region came under non-Islamic rule, reshaping Kashmir's trajectory. Ranjit Singh appointed Gulab Singh, a Dogra Rajput from Jammu, as the head of the state to govern in his stead. Sikh Governors were tasked with administering different regions. Gulab Singh was granted complete autonomy and maintained his own army. This grant was later made hereditary. Gulab Singh's army included the formidable war strategist, General Zorawar Singh, who, in 1834, captured Ladakh, expanding the Sikh Empire northward. Even after Maharaja's demise, Gulab Singh extended his dominion to include Baltistan, Gilgit, and Gartok, near the source of the Indus River, all the way to Lake Mansarovar.



However, every successful military campaign has its conclusion. General Zorawar Singh and his 4,000 men met their demise near Mansarovar in the Battle of To-yo in December 1841, as inclement weather and travel fatigue took their toll. Zorawar Singh's valor was so legendary that his adversaries honored him with a shrine on the battlefield.

A year later, the Emperor of China and the Dalai Lama signed the Treaty of Chushul in 1842 with Gulab Singh, fostering regional harmony and reestablishing trade along old customs. Gulab Singh was granted a jagir comprising three villages near Mansarovar. Ironically, this well-intentioned treaty, which delineated the Ladakh-China border and maintained peace for over a century, would later become a source of contention.



Source: Jammu Kashmir Now

1.4 Treaty of Chushul 1842

The Treaty of Chushul, concluded in 1842, was a formal accord between the British East India Company and the Tibetan government. The pact succeeded the First Anglo-Sikh War, a confrontation between the British and the Sikh Empire. The region of Ladakh, located in a strategic position between British India and Tibet, emerged as a central area for diplomatic discussions. The treaty, which was deliberated at Chushul, delineated the demarcation between Ladakh and Tibet, establishing a boundary along the Pangong Lake. The objective was to settle conflicts over the territory and promote harmonious relations between the British and Tibetan administrations. The Treaty of Chushul contributed to the establishment of stability along the northern frontiers of British India.

The death of Ranjit Singh in 1839 shook the foundations of the Sikh Empire, as his heirs lacked the charisma to withstand the challenges of monarchy. Gulab Singh, within this declining empire, forged a secret alliance with Colonel Henry Lawrence of the East India Company. It is rumored that Gulab Singh abstained from the Anglo-Sikh War of 1845-46, which ultimately favored the British, leading to their victory in Punjab.

The defeated Sikh forces signed the Treaty of Lahore in 1846, compelling the infant ruler Duleep Singh to release his vassal lords, including Gulab Singh, allowing him to negotiate freely with the British. Gulab Singh subsequently signed the Treaty of Amritsar in 1846, which conferred independent sovereignty over his lands. In this treaty, the British sold territories, including Kashmir and its adjacent regions, to Gulab Singh for 75 lacs in Nanak Shahi Rupees. Thus, the Dogra Dynasty was established, with Raja Gulab Singh recognised as the Maharaja of this new political entity. The British gained control over the defense and foreign affairs of this strategically located state.

1.5 Treaty of Lahore 1846

The Treaty of Lahore was a momentous agreement negotiated between the British East India Company and the Sikh Empire following the culmination of the Second Anglo-Sikh War. The conflict culminated in the Sikh armies' defeat, and the peace, which concluded in 1846, had significant ramifications for the political terrain of the Indian subcontinent. Per the provisions of the treaty, the British obtained significant lands, encompassing the areas of Jammu and Kashmir, along with portions of northern Punjab. The Sikh Empire experienced a substantial reduction in its territorial extent, and Maharaja Duleep Singh, who was underage, was granted permission to maintain authority over a portion of the Sikh Empire. The Treaty of Lahore signified the official incorporation of these regions into British India.

1.6 Treaty of Amritsar 1846

The Treaty of Amritsar, alternatively referred to as the Treaty of Lahore (although it should be noted that it is different from the prior treaty), was formally agreed to between the British East India Company and Gulab Singh, the Dogra ruler of Jammu, subsequent to the conclusion of the First Anglo-Sikh War. The treaty was ratified in 1846, consolidating the territorial modifications set in motion by the Treaty of Lahore. According to the provisions of the Treaty of Amritsar, the princely state of Jammu and Kashmir was relinquished to Gulab Singh in exchange for a monetary payment to the British. This event signified the creation of the princely state of Jammu and Kashmir, with Gulab Singh assuming the role of its monarch. The Treaty of Amritsar had a significant impact in defining the political borders of the region and had long-lasting repercussions on the history of Jammu and Kashmir.

1.7 The Rise of Sheikh Abdullah

In the early 19th century, when Gulab Singh secured his kingdom with British support, he made them his overlords to maintain his territory. In 1947, in place of the British, Hari Singh, a scion of the Dogra dynasty, faced the prospect of two possible overlords - India and Pakistan. The destiny of Kashmir hung in the balance, and history was in the making.

Hari Singh, who became the Hindu king of a state with a 77% Muslim population in 1925, found himself at odds with the rising wave of nationalism throughout the subcontinent, aimed primarily at British rule. In Jammu and Kashmir, however, this sentiment was directed against the Maharaja. In the 1930s, a political party, the Muslim Conference, was founded by Sheikh Mohammad Abdullah, demanding social and political reforms. This party later transformed into the National Conference, aiming to include all Kashmiris. As the possibility of Pakistan's creation gained traction, some of its adherents resurrected the Muslim Conference. Together, both parties launched the Quit Kashmir movement against the monarch and monarchy.



Source: The Print

To suppress the movement, Maharaja ordered the arrest of Sheikh Abdullah on charges of sedition. Jawaharlal Nehru, a political ally and fellow freedom fighter, rushed to Kashmir, demanding Sheikh Abdullah's release. In response, Maharaja promptly had Nehru arrested and expelled from the state, an action that would have repercussions in the near future. When Mahatma Gandhi arrived in Kashmir in July 1947, he heard a single statement from the thousands of Kashmiris who had gathered to welcome him: "Baagi Abdullah Ki Jai" (Hail the Rebel Abdullah). Gandhi conveyed to the Maharaja that he was free to decide on accession but insisted on Sheikh Abdullah's immediate release.

Published continuously in Bombay, Delhi and Calcutta.

NO. 221 VOL. CXXV. BOMBAY: MONDAY, AUGUST 18, 1947 3½ ANNAS

SHEIKH ABDULLAH ARRESTED

STRICT SECURITY ARRANGEMENTS
Permits issued incoordinated

SOBER SATISFACTION IN DELHI
"Timely Action By The Sadar-i-Riyasat"

CHARGES OF CORRUPTION AND MALADMINISTRATION
Bakshi Ghulam Mohammed Sworn In As Prime Minister
POLICE OPEN FIRE ON VIOLENT DEMONSTRATORS

"The Times of India" News Service

THE arrest of Sheikh Mohammed Abdullah, the 46-year-old Prime Minister of Kashmir, at his week-end retreat of Gulmarg today, followed swiftly upon his dramatic removal from office late last night by the Sadar-i-Riyasat "had lost the confidence of the people."

GRAVE THREAT TO FREEDOM
PREMIER'S CALL
Kashmir Faces Crisis

CALM U.S. RECEPTION TO H-BOMB CLAIM
Serious Consideration Of M. Malenkov's Speech

"U.F.A." and "The Times of India" News Service

THE arrest of Sheikh Mohammed Abdullah, the 46-year-old Prime Minister of Kashmir, at his week-end retreat of Gulmarg today, followed swiftly upon his dramatic removal from office late last night by the Sadar-i-Riyasat "had lost the confidence of the people."

THE dismissal of Sheikh Abdullah, who was taken into custody under the Public Security Act, was charged with disorganization, corruption, nepotism, maladministration and establishing foreign contacts of a kind dangerous to the peace of the State.

THE United States reacted today with considered calm to the Russian claim that she had the hydrogen bomb.

THE mood of serious consideration was in short order level with the anxiety and alarm expressed. Just four hours ago when Premier Nehru's speech announced that Russia had the atom bomb.

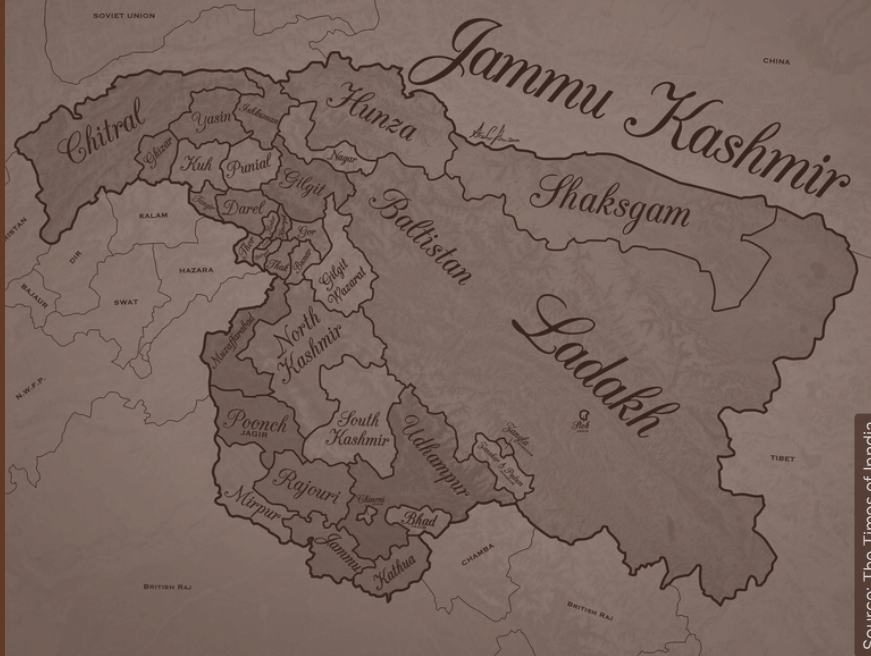
IN NEW YORK AND WASHINGTON, AMSTERDAM and LONDON, Premier's statement for India in future would be a subject of interest.

There was widespread belief that Mr. Malenkov had the coming Soviet political contest before him in the near future.

There were some who felt that the Soviet Union would soon be in a better and more unambitious position than it was in at present.

THEY were also aware that the Soviet Union had been in a better and more unambitious position than it was in at present.

Source: The Print



Source: The Times of India

CHAPTER - 02

PARTITION, ACCESSION & DISSATISFACTION

2.1 Operation Gulmarg and PoK

In August 1947, India and Pakistan emerged as independent nations. With independence came the partition, splitting the subcontinent into Islamic Pakistan and a secular India. This unfortunate division triggered a violent and bloody exodus of Hindus from the newly formed Islamic state to India and Muslims to Pakistan. While the subcontinent grappled with the birth of nations, Kashmir faced a dilemma - whether to accede with one of the new nations or maintain sovereignty.

The Maharaja of Kashmir remained undecided on which nation to join. Pakistan was eager to incorporate Jammu and Kashmir (J&K) into its territory, motivated in part by the significant Muslim population and the six powerful rivers that flowed through Kashmir into Pakistan, forming the Indus River system. Frustrated by the Maharaja's indecision, Pakistan launched Operation Gulmarg, a series of incursions aimed at annexing Kashmir.

As part of Operation Gulmarg, Pakistan instigated a 'No Tax uprising' in the Poonch region, involving both decommissioned and serving army personnel, primarily Muslims. This agitation soon escalated into a full-scale genocide of minority communities in the western part of Jammu district. In retaliation, Muslims in the Jammu province were targeted by the majority Hindu and Sikh populations. The state became engulfed in communal violence. India strongly advised the Maharaja to release Sheikh Abdullah in an attempt to quell the unrest. Pakistan, fearing a change in the situation, sent emissaries to persuade Sheikh Abdullah to join Pakistan. Initially, Sheikh's focus was on removing the Maharaja from power.

DELHI EDITION

Regd. No. L. 1732.

The Hindustan Times

LARGEST CIRCULATION IN NORTHERN, NORTH-WESTERN AND CENTRAL INDIA

VOL. XXIV. NO. 295

NEW DELHI: TUESDAY, OCTOBER 28, 1947.

PRICE TWO ANNAS

KASHMIR ACCEDES TO INDIA

PLEBISCITE SOON ON RULER'S DECISION

Troops And Arms Flow To Srinagar

CONTACT WITH RAIDERS NEAR BARAMULLA

MORE REINFORCEMENTS BEING DISPATCHED

Indian Army troops came in contact yesterday afternoon with the invading raiders at a point near Baramulla, according to information received in New Delhi, with reports in the appeal made by the Maharaja of Kashmir.

Indian troops left Delhi by plane early yesterday morning and arrived at Srinagar shortly after 9 a.m. Besides B.A.F. transports, a number of civil aircraft were commandeered to fly men and ammunition for the protection of Srinagar. The whole movement of troops was undertaken at short notice and the first squadron

SHEIKH ABDULLA TO FORM INTERIM GOVT.

UNION TROOPS RUSHED FOR PROTECTION OF STATE

(By Our Special Representative)

NEW DELHI, Monday.—In view of grave emergency the Maharaja of Kashmir has acceded to the Indian Dominion. In a letter to Lord Mountbatten he declares that "the other alternative is to leave my State and my people to freebooters." He adds: "This alternative I will never allow to happen so long as I am the Ruler of the State and I have life to defend my country."

The Maharaja has also stated that he has decided to invite

FRESH ARRIVAL
Lips with your original...
B. RAMCHAND & CO.
MILK PARATHIS
NEW DELHI

Source: The Federal

Simultaneously, a group of armed Pakhtoon tribals, under the command of Brigadier Akbar Khan from the Pakistan Army and local Punjabi politician Sardar Shauqat Hayat Khan, invaded the Kashmir Valley. The Maharaja was forced to flee from Kashmir, and his army, led by Brigadier Rajinder Singh, was decisively defeated in the first attack up to Uri. The Pakistan army, however, delayed its advance by pausing near Baramullah, engaging in looting and other activities. Meanwhile, rebels from the 'No Tax' agitation, led by lawyer Sardar Ibrahim, declared Muzaffarabad, Poonch, and Mirpur as Azad Kashmir, known today as Pakistan-Occupied Jammu and Kashmir (POJK).

Faced with attacks from multiple fronts, the Maharaja turned to India and agreed to accede in exchange for military assistance. The Instrument of Accession was signed between the Indian Government and Maharaja Hari Singh on October 26, 1947. This marked the first step in India's involvement in the Kashmir conflict. However, it was insufficient to stabilise the situation in Kashmir.

2.2 Reading of Instrument of Accession

The text of the Instrument of Accession is as follows -

Whereas the Indian Independence Act, 1947, provides that as from the fifteenth day of August, 1947, there shall be set up an independent Dominion known as INDIA, and that the Government of India Act, 1935 shall with such omissions, additions, adaptations and modifications as the Governor General may by order specify, be applicable to the Dominion of India.

And whereas the Government of India Act, 1935, as so adapted by the Governor General, provides that an Indian State may accede to the Dominion of India by an Instrument of Accession executed by the Ruler thereof.

Now, therefore, I Shriman Inder Mahinder Rajrajeswar Maharajadhiraj Shri Hari Singhji Jammu & Kashmir, Ruler of Jammu & Kashmir State, in the exercise of my Sovereignty in and over my said State do hereby execute this my Instrument of Accession and

1. I hereby declare that I accede to the Dominion of India with the intent that the Governor General of India, the Dominion Legislature, the Federal Court and any other Dominion authority established for the purposes of the Dominion shall by virtue of this my Instrument of Accession but subject always to the terms thereof, and for the purposes only of the Dominion, exercise in relation to the State of Jammu & Kashmir (hereinafter referred to as "this State") such functions as may be vested in them by or under the Government of India Act, 1935, as in force in the Dominion of India, on the 15th day of August 1947, (which Act as so in force is hereafter referred to as "the Act").

2. I hereby assume the obligation of ensuring that due effect is given to provisions of the Act within this State so far as they are applicable therein by virtue of this my Instrument of Accession.

3. I accept the matters specified in the schedule hereto as the matters with respect to which the Dominion Legislature may make law for this State.

4. I hereby declare that I accede to the Dominion of India on the assurance that if an agreement is made between the Governor General and the Ruler of this State whereby any functions in relation to the administration in this State of any law of the Dominion Legislature shall be exercised by the Ruler of the State, then any such agreement shall be construed and have effect accordingly.

5. The terms of this my Instrument of Accession shall not be varied by any amendment of the Act or the Indian Independence Act, 1947, unless such amendment is accepted by me by Instrument supplementary to this Instrument.

6. Nothing in this Instrument shall empower the Dominion Legislature to make any law for this State authorising the compulsory acquisition of land for any purpose, but I hereby undertake that should the Dominion for the purpose of a Dominion law which applies in this State deem it necessary to acquire any land, I will at their request acquire the land at their expense, or, if the land belongs to me transfer it to them on such terms as may be agreed or, in default of agreement, determined by an arbitrator to be appointed by the Chief Justice of India.

7. Nothing in this Instrument shall be deemed to commit in any way to acceptance of any future constitution of India or to fetter my discretion to enter into agreement with the Government of India under any such future constitution.

8. Nothing in this Instrument affects the continuance of my Sovereignty in and over this State, or, save as provided by or under this Instrument, the exercise of any powers, authority and rights now enjoyed by me as Ruler of this State or the validity of any law at present in force in this State.

9. I hereby declare that I execute this Instrument on behalf of this State and that any reference in this Instrument to me or to the Ruler of the State is to be construed as including a reference to my heirs and successors.

Given under my hand this 26th day of OCTOBER, nineteen hundred and forty seven.

Hari Singh
Maharajahdiraj of Jammu and Kashmir State.

I do hereby accept this Instrument of Accession. Dated this twenty-seventh day of October, nineteen hundred and forty seven.

(Mountbatten of Burma, Governor General of India)

The Schedule mentioned in paragraph 3 of the Instrument of Accession is as follows:

SCHEDULE OF INSTRUMENT OF ACCESSION THE MATTERS WITH RESPECT TO WHICH THE DOMINION LEGISLATURE MAY MAKE LAWS FOR THIS STATE

A. Defence

1. The naval, military and air forces of the Dominion and any other armed forces raised or maintained by the Dominion; any armed forces, including forces raised or maintained by an acceding State, which are attached to, or operating with, any of the armed forces of the Dominion.
2. Naval, military and air force works, administration of cantonment areas.
3. Arms, fire-arms, ammunition.
4. Explosives.

B. External Affairs

1. External affairs; the implementing of treaties and agreements with other countries; extradition, including the surrender of criminals and accused persons to parts of His Majesty's Dominions outside India.
2. Admission into, and emigration and expulsion from, India, including in relation thereto the regulation of the movements in India of persons who are not British subjects domiciled in India or subjects of any acceding State; pilgrimages to places beyond India.
3. Naturalisation.

C. Communications

1. Posts and telegraphs, including telephones, wireless, broadcasting, and other like forms of communication.
2. Federal railways; the regulation of all railways other than minor railways in respect of safety, maximum and minimum rates and fares, station and services terminal charges, interchange of traffic and the responsibility of railway administrations as carriers of goods and passengers; the regulation of minor railways in respect of safety and the responsibility of the administrations of such railways as carriers of goods and passengers.
3. Maritime shipping and navigation, including shipping and navigation on tidal waters; Admiralty jurisdiction.
4. Port quarantine.
5. Major ports, that is to say, the declaration and delimitation of such ports, and the constitution and powers of Port Authorities therein.
6. Aircraft and air navigation; the provision of aerodromes; regulation and organisation of air traffic and of aerodromes.
7. Lighthouses, including lightships, beacons and other provisions for the safety of shipping and aircraft.
8. Carriage of passengers and goods by sea or by air.
9. Extension of the powers and jurisdiction of members of the police force belonging to any unit to railway area outside that unit.

D. Ancillary

1. Election to the Dominion Legislature, subject to the provisions of the Act and of any Order made thereunder.
2. Offences against laws with respect to any of the aforesaid matters.
3. Inquiries and statistics for the purposes of any of the aforesaid matters.
4. Jurisdiction and powers of all Courts with respect to any of the aforesaid matters but, except with the consent of the Ruler of the acceding State, not so as to confer any jurisdiction or powers upon any Courts other than Courts ordinarily exercising jurisdiction in or in relation to that State





2.2 Barbaric British

The British, with their vested interests, added another layer to the issue. In the 1930s, as communism began to emerge in China, the British, wary of Soviet involvement in the Chinese civil war, leased Gilgit and adjoining regions from the Maharaja in 1935 for 60 years. Their focus extended beyond protecting British Indian territory to establishing bases in Pakistan to counter the Soviets and gain proximity to the Gulf region, rich in oil.

As the creation of two new nations approached, the British hoped that Gilgit would become part of Pakistan. Thus, just 15 days before independence, they revoked the lease and returned the region to the Maharaja. They believed that the then Prime Minister of J&K, Ram Chandra Kak, would favor Pakistan, as he had good relations with those in power there. However, Gandhi's influence led to Kak's dismissal just four days before India's independence, thwarting British plans. Within two months of gaining independence, Kashmir acceded to India, introducing a new twist to the political situation.

Shortly after accession, Captain Brown and his officers from the Gilgit Scouts led Muslim troops in overthrowing and imprisoning J&K Governor Ghansara Singh. They declared Gilgit and its vassal states as having acceded to Pakistan, an event known as the Gilgit Rebellion. Ironically, 45 years later, the Pakistan Government posthumously honored Captain Brown with the Sitara-e-Imtiaz, one of the nation's highest awards.

2.3 Proxy Wars, UN Interventions and Dixon Plan

With Poonch declared as Azad Kashmir and Gilgit acceding to Pakistan, Kashmir became irreversibly divided. Pakistan initiated proxy wars, leading to ongoing unrest and violence in the region, straining Kashmir's relationship with India. This also prevented Kashmir from attaining the autonomy promised under the Instrument of Accession. Jawaharlal Nehru understood that this situation might impact the dynamics with Sheikh Abdullah, who was the prominent face of Kashmir at the time.

”اگر فر دو سپس بر روی زمین است
همین است و همین است و همین
است

- Amir Khusrau

”*Agar firdaus bar roo-e sameen ast,
hameen ast-o hameen ast-o hameen
ast.*”

- Amir Khusrau

Britain's geopolitical interests lay with Pakistan in the emerging Cold War against the Soviet Union. Nehru, seeing no help from the British, turned to the United Nations. In April 1948, the UN Security Council requested Pakistan to remove all state and nonstate actors from J&K while asking India to reduce its forces to maintain public order. The UN proposed installing an interim government with genuine stakeholders and appointing a plebiscite administrator to gauge the people's wishes. Neither India nor Pakistan was fully satisfied with this resolution, as India wanted Pakistan to be

censured for interference, while Pakistan opposed the idea of a plebiscite. Nonetheless, an interim government led by Sheikh Abdullah as Prime Minister and the Maharaja as the titular head of the state was established, offering a glimmer of hope for Kashmir's future.

In 1948, Kashmir was far from being a paradise on Earth; it was a smouldering cauldron of conflict. Despite the UN intervention and the establishment of an interim government, the region was embroiled in warfare. In September 1948, Pakistan occupied Skardu. By November, the Indian Army had taken Drass and Kargil, securing the Srinagar-Kargil-Leh road. However, it refrained from advancing further, following Prime Minister Nehru's orders.

Sheikh Abdullah had conveyed to Nehru that his influence did not extend beyond the Kashmiri-speaking population. Consequently, Nehru decided not to wage war for regions since he was uncertain whether these regions, if reclaimed by the Indian army, would willingly align with India.

This prolonged conflict placed a significant strain on India, which was simultaneously involved in drafting its constitution and building the nation. Eventually, Nehru agreed to a ceasefire, concluding the first Indo-Pak War with a stalemate. The ceasefire was declared on December 31, 1948. Subsequently, India prepared for a potential plebiscite, as advised by the UN. The first step in this process involved neutralising the Maharaja. In a surprising move, the shocked Maharaja and Maharani were informed that they must abdicate and physically depart the state for the greater good. Their son, Dr Karan Singh, was appointed Regent and sent to Srinagar.

Since both India and Pakistan were reluctant to proceed with a plebiscite in Kashmir, the UN explored alternative options. The most significant proposal was the Dixon Plan, presented by Sir Owen Dixon of Australia. Dixon's plan advocated against a consolidated plebiscite, suggesting that Jammu and Kashmir was divided into five distinct regions. He proposed that Jammu and Ladakh, which were

predominantly Hindu and Buddhist, remain with India. Conversely, Gilgit and parts of the Azad Kashmir region should go to Pakistan. The Kashmir Valley, with its substantial Muslim majority, could be the subject of a regional plebiscite. Pakistan was dissatisfied with this plan, particularly because it assigned Ladakh to India, impacting the flow of the Indus River, which travelled from Tibet through Ladakh into Baltistan. The Dixon Plan underwent numerous meetings, discussions, revisions, and rejections, ultimately leading to its abandonment.

2.4 Dividing the Divided

In the absence of a plebiscite, Sheikh Abdullah struggled to consolidate his position. In 1950, he implemented The Big Landed Estates Abolition Act, a populist measure that affected the Jammu Hindu and Kashmiri Pandit communities, who collectively owned most of the cultivable land in Jammu and Kashmir. This act declared that land belonged to the tiller rather than the landlord. Sheikh then announced elections, and in November 1951, the Constituent Assembly of Jammu and Kashmir was established. The main opposition, Praja Parishad, boycotted the elections, citing irregularities. The assembly eliminated the role of the Regent and elected Karan Singh as Jammu and Kashmir's first constitutional head, known as the Sadr-e-Riyasat, effectively erasing the last vestiges of the monarchy.

However, a dispute over land compensation triggered violent protests from Praja Parishad. Nehru was compelled to intervene, leading to the signing of the Delhi Agreement in 1952, the second Kashmir Accord. While the Agreement firmly integrated Kashmir into India, it granted the state the right to have its own flag and to call its head of state the Prime Minister. Jammu and Kashmir were required to adhere to only those constitutional provisions that aligned with the original Instrument of Accession. To facilitate this, Article 370 was incorporated into the Indian Constitution, providing the region with regional autonomy. However, this move faced dissent, notably from leaders like S.P. Mukherjee, leader of the Bhartiya Jana Sangha. Mukherjee arrived in Kashmir to support Praja

Parishad's agitation, leading to his arrest by Sheikh Abdullah. A sequence of events followed Mukherjee's arrest. With Nehru's backing, Karan Singh dismissed Abdullah's government, and certain members, including Abdullah, were arrested. Simultaneously, the pro-India faction of the National Conference, led by Bakshi Ghulam Mohammad, was sworn into power. The Jammu and Kashmir Assembly reaffirmed the state's accession to India and requested closer ties. By 1954, the state was placed under the President of India, and subsequently, various central acts and presidential ordinances were applied to Jammu and Kashmir. By 1965, the Sadr-e- Riyasat became the Governor, and the Prime Minister became the Chief Minister of the state.

Despite Article 370, the state underwent a transition from autonomy to integration. One of Pakistan's key grievances was related to the Indus River, as most of its course flowed through Kashmir. To address this issue, in 1960, Prime Minister Nehru and Pakistan's President Ayub Khan signed the Indus Water Treaty. Of the six rivers in the Indus system, Pakistan obtained water from three - the Indus, Jhelum, and Chenab - all of which passed through Jammu and Kashmir. The treaty allowed India to utilise 20% of the water from these rivers within its territory, a right that India chose not to exercise. While this treaty resolved the issue of river waters to some extent, it did not alleviate Pakistan's broader strategic concerns about Kashmir.



2.5 The Menace of China

With Kashmir, it was never just one threat; multiple factors were at play in the region. In the 1950s, a new threat emerged from China. The Chinese Communist Party had emerged victorious in the Chinese Civil War and, by 1950, had taken control of Xinjiang and Tibet. They closed the Indian consulate in Xinjiang, and India, preoccupied with internal challenges, did not take significant action. China then turned its attention to Ladakh, an area where the borders had not been formally defined since the Treaty of Chushul.

Prime Minister Nehru, who was also the External Affairs Minister, received alarming intelligence about Chinese deployments in Tibet from Lhasa. He realised that Kashmir was facing external threats from both its borders. In an attempt to appease the Chinese, Nehru made the decision to shut down the Indian consulates in Tibet and Kashgar, missing an opportunity to resolve border issues in the Panchsheel Agreement of 1954, a significant loss.

Buoyed by India's apparent reluctance to respond, China launched an invasion of Ladakh in 1962, which escalated the long-standing border dispute. They quickly annexed Aksai Chin, a northeastern border region of Kashmir, and planned a road to connect Xinjiang and Tibet. Although the conflict ended in a ceasefire within a month, India suffered significant losses. Furthermore, Pakistan engaged in trade activities in some areas of Gilgit-Baltistan, which was originally part of Kashmir, with the Chinese, without consulting India or the local population. India also lost Minsar, a small principality in Tibet that had been awarded to Ladakh in an earlier peace treaty.

Kashmir was a region with numerous vested interests, making it challenging to distinguish friends from foes. It remained a complex and volatile geopolitical landscape where multiple factors converged to shape its destiny.

Snapshot of Major Happenings:

Pre- Colonial: Dogra Dynasty Established

During Colonial: Treaty of Chusul, Lahore & Amritsar

Post-Independence: Operation Gulmarg & Dixon Plan

1960 - 1980: Indus Water Treaty, Operation Gibraltar & 1971 East Pakistan Liberation

Late 1980s to Early 1990s: Kashmir Accords & Operation Tupac

Past Event Photos



Source: Representative Photo

2.6 Operation Gibraltar

Sensing India's fatigue, both physically and psychologically, after the 1962 war, Pakistan launched Operation Gibraltar in 1965, named after a similar campaign launched from Gibraltar by the Umayyad Caliphate for the conquest of Spain. Under Operation Gibraltar, troops named the Gibraltar Force, led by Major General Hussain Malik, crossed the ceasefire line and infiltrated India. However, Pakistan miscalculated the sentiments on the ground, as the infiltrators were apprehended and handed over to the police by local residents. In response, India launched a full scale military offensive, leading to a ceasefire in September 1966, mediated by the Soviet Union. The Tashkent peace talks followed, effectively reverting the situation back to the ceasefire obligations of 1949.

The failure of meaningful dialogue between India and Pakistan resulted in constant skirmishes between the two countries. In 1971, this tension escalated into a full-fledged war. The year began with the hijacking of an Indian Airlines flight from Srinagar to Jammu by the National Liberation Front, a precursor to the JKLF. The National Liberation Front was a militant organisation that aimed for an independent Kashmir. In response to the hijacking, India banned Pakistani flights from its airspace.

Meanwhile, in Pakistan, the Awami League had won the general elections in East Pakistan, led by Sheikh Mujibur Rehman. The geographic and cultural differences between East and West Pakistan had always created tensions. General Yahya Khan's crackdown on the Awami League prevented Sheikh Mujibur Rehman from becoming the Prime Minister, leading to violent protests that were brutally suppressed. Consequently, refugees started pouring into India from East Pakistan. The ban on Pakistani flights further hampered troop movement.

India decided to send aid to the East Pakistani freedom fighters, which eventually led to the outbreak of the 1971 Indo-Pak War. On December 3, 1971, Pakistan launched a full-scale war against India. This short but intense conflict concluded in mid-December with the surrender of Lt. Gen. AAK Niazi to the Indian Army in Dhaka, resulting in the birth of a new nation, Bangladesh. During the same war, India also managed to liberate some strategic areas in Jammu and Kashmir from Pakistan. However, India did not leverage this advantage to find a lasting solution to the Jammu and Kashmir issue.

"War is what happens when language fails."

- Margaret Atwood

CHAPTER - 03

EXODUS

3.1 Accords After Accords

Following the 1971 war, the Shimla Accord of 1972 was signed between Indian Prime Minister Indira Gandhi and Pakistani President Zulfikar Ali Bhutto. Unfortunately, the Accord did not address the Kashmir issue further. It also saw India releasing the 90,000 prisoners of war, marking a missed opportunity. The ceasefire line was renamed the Line of Control (LOC) after the Accord.

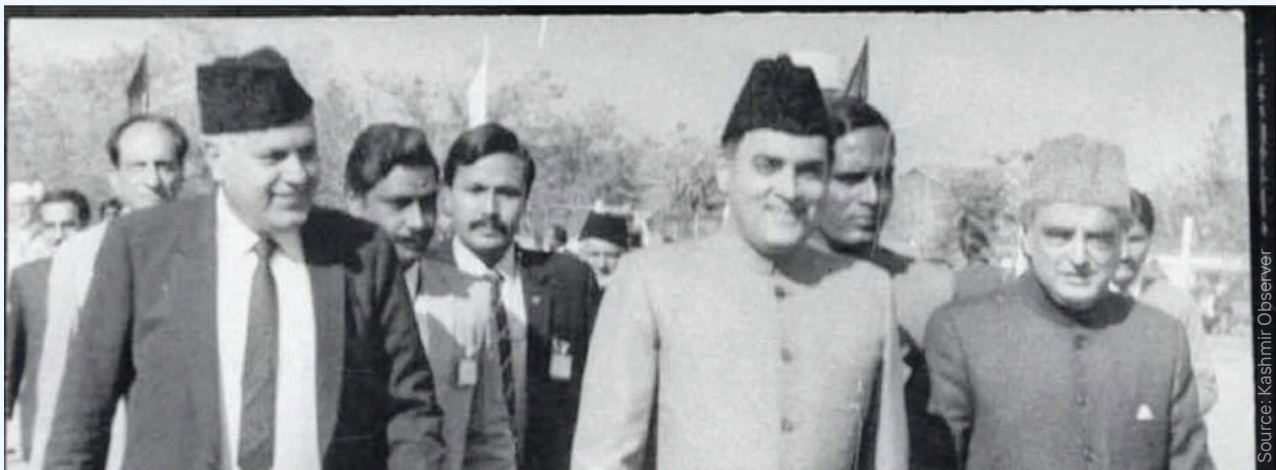
In Kashmir, signs of dissatisfaction started emerging. During the Shimla Agreement, Al-Fatah, an armed movement with 300 members, was known for its espionage, dacoity, and armed robbery activities. After the Shimla Agreement, India initiated fresh talks with Sheikh Abdullah, leading to the third Kashmir Accord of 1975. This Accord retained Article 370 but also granted the Indian Parliament the right to veto any act of the Jammu and Kashmir Legislative Assembly that might threaten the sovereignty or territorial integrity of the Indian Union. Interestingly, the Accord also included the release of all imprisoned members of Al-Fatah and their integration into mainstream society. The day before the announcement of the Accord, Sheikh Abdullah resumed his role as Chief Minister.



Source: 1. The Hindu 2. The Citizen

The years that followed were marked by political unrest in India, led by JP Narayan, who accused Indira Gandhi of election malpractice. Sensing trouble, Sheikh Abdullah started distancing himself from the Congress and contemplating a possible merger with Pakistan-occupied Jammu and Kashmir (POJK).

By the 1980s, the Abdullah government renamed around 2,500 villages in Kashmir with Islamic names. Sheikh began delivering communal speeches in mosques, targeting the minority community of Kashmiri Pandits. The Islamisation of Kashmir was underway. However, before he could fully implement his plans, Sheikh Abdullah passed away in 1982. Dr. Farooq Abdullah, the son of Sheikh Abdullah, succeeded as Chief Minister after a brief power struggle with his brother-in-law GM Shah. Elections in the following year brought victory to Abdullah and the Congress.



Source: Kashmir Observer

The upper Himalayan regions, a matter of concern for both India and Pakistan, had been largely ignored due to the hostile terrain. Notably, the Siachen Glacier, a freshwater reserve of 100 million acre-feet, had not been a subject of discussion. Intelligence reports revealed Pakistan's intentions to procure high-altitude gear, indicating potential hostilities. To preempt Pakistan, India launched Operation Meghdoot in 1984, capturing the 70 km long Siachen Glacier and key passes in the region. India also secured an additional 3,000 square km of territory in Jammu and Kashmir.

Concurrently, the ISI was heavily involved in running the Punjab insurgency under General Akhtar Abdur Rehman. Their next target was Kashmir. In 1987, three Al-Fatah operatives captured at that time revealed their mission to carry out an insurgency in Kashmir. Faced with these challenges,

Indira Gandhi replaced Farooq Abdullah with GM Shah as Chief Minister. However, India was soon engulfed in Operation Blue Star, followed by Indira Gandhi's assassination and the anti-Sikh riots of 1984, leading to Kashmir's issues being put on hold. In the years that followed,



communal violence intensified under GM Shah's leadership. In 1986, the Congress withdrew its support, resulting in President's Rule in Kashmir. Later, Rajiv Gandhi initiated personal dialogues with Farooq Abdullah, bringing him back as Chief Minister in a coalition with the Congress. The fourth Kashmir Accord was signed, and India conducted Operation Brasstacks, a massive land exercise with troops stationed only 100 miles away from Pakistan. This show of strength alarmed Pakistan, compelling them to respond. Their opportunity came in 1987, marked by rigged elections in Jammu and Kashmir.

3.2 Elections of 1987

The 1987 state election was a watershed in the politics of Jammu & Kashmir. The rigged 1987 elections triggered unrest in the valley. Pakistan unleashed Operation Tupac, their longest-running operation in Kashmir. These elections created a rift in Kashmiri politics, leading to the formation of the Muslim United Front, opposing the Congress-National Conference alliance in 1987. The Muslim United Front decided to contest the elections, but the widespread election fraud resulted in their candidates' defeat. Some candidates even crossed the Line of Control (LOC) to avoid arrest. The lack of a robust response from the Indian Government to the rigged elections had already fueled the youth's anger in Kashmir, marking the beginning of the armed struggle in 1987.

It was during this time that the slogan emerged:

“Not the ballot, but the bullet should decide.”

3.3 Operation Tupac

Amid the growing discontent, Pakistan initiated Operation Tupac during President Ziaul Haq's tenure. The operation involved a low-level insurgency in Phase I, with plans to escalate to a higher-level insurgency in Phase II, leading to a total uprising in Phase III. Pakistan-administered Jammu and Kashmir functioned as a boot camp for disenfranchised Kashmiri youths who crossed over, received training and arms, and were then sent back into the valley.

The Indian Army was already dealing with the Punjab insurgency and was not well-equipped to counter-terrorism. When a bandh (strike) organised in Srinagar on the 40th anniversary of Kashmir's accession to India turned violent, the army was unprepared to manage the situation. Militancy began to intensify in Kashmir, and in 1989, it escalated with more daring attacks, such as the assassination of J&K BJP leader TL Tapiloo and the kidnapping of Rubaiya Sayeed, the daughter of Home Minister Mufti Mohammed Sayeed. She was eventually released in exchange for the release of five jailed terrorists.

Meanwhile, in New Delhi, the Bofors scandal caused political upheaval in the Rajiv Gandhi government, leading to the Congress party's defeat in the 1989 general elections. India was facing multiple challenges, including its military engagement in the Sri Lankan civil war, depleting forex reserves, and looming bankruptcy. In such circumstances, Operation Tupac gained momentum under the leadership of ISI Chief SR Kallue.

3.4 The Beginning of Departure

During this time, it seemed to the common people that Kashmir was on the verge of becoming part of Pakistan. As communal tensions flared, Kashmiri Pandits in the state began experiencing growing persecution. The exodus of Kashmiri Pandits from the region commenced in the early 1990s.

The early 1990s witnessed a tragic chapter in the history of the Kashmir Valley, marked by the mass exodus of the Kashmiri Pandit community. This forced migration, which unfolded against the backdrop of political turmoil, insurgency, and communal tensions remains a poignant reminder of the complex dynamics that have shaped the region.

The departure of Kashmiri Pandits can be ascribed to a convergence of circumstances. The emergence of armed insurgency in the late 1980s and early 1990s instilled a climate of apprehension and vulnerability. Militant factions, promoting self-governance or affiliation with Pakistan, specifically targeted

Kashmiri Pandits, perceiving them as emblematic of Indian sovereignty. The Hindu minority was further marginalised due to the emergence of religious radicalism within certain sections, resulting in their exposure to threats, intimidation, and violence. The Pandit community's perception of insecurity was exacerbated by the insufficient security measures implemented by both the state and central governments.

The exodus evokes varied viewpoints, each providing a subtle comprehension of the events. Human rights advocates highlight the systematic violations, such as homicides, sexual assaults, and coerced displacements, while demanding justice and responsibility. Politically, some contend that the exodus occurred because the underlying reasons for the conflict were not effectively dealt with, highlighting the importance of a political solution to the Kashmir problem. Nationalist perspectives portray migration as a sorrowful result of the separatist movement and international assistance for the insurgency, emphasising the crucial need to preserve India's geographical unity. The prime ministership of PV Narasimha Rao (1991-1996) played a crucial role in tackling the difficulties presented by the Kashmir dispute. As a reaction to the the increasing level of violence, the government dispatched supplementary security forces to the area. Nevertheless, the effectiveness of these steps in safeguarding the Kashmiri Pandits is still a matter of examination. Attempts were also undertaken to offer assistance and restoration to the displaced community, however, discussions continued regarding the magnitude and effect of these endeavours. Although Rao's term witnessed political efforts to involve multiple parties in the region, a definitive and enduring resolution to the Kashmir dispute remained unattainable.



CHAPTER - 04

A TURBULENT PERIOD

4.1 Political stability in question

Between 1996 and 1999, the Kashmir region experienced significant political events, bloodshed, and geopolitical tensions, marking a crucial period for the region. The events of this period occurred against a longstanding and contentious history, with Kashmir being the primary bone of contention between India and Pakistan.

In 1996, following a period of political turmoil, Jammu and Kashmir experienced a notable political shift in the conduct of state elections. This ceremony signalled the commencement of a phase of governance to be executed in the area. The Jammu and Kashmir National Conference achieved victory, resulting in the appointment of Farooq Abdullah as the Chief Minister, signifying the initiation of a new era in the state's political environment. Article 370 of the Indian Constitution, which provides Jammu and Kashmir with exceptional autonomy, remained a subject of dispute, notwithstanding the ongoing debate over the issue of autonomy for Jammu and Kashmir. This conversation centred around the challenge of finding a middle ground between the aspirations of the local community and the need to maintain the territorial unity of the nation.

4.2 The Nuclear Tests

In May 1998, India conducted a sequence of nuclear tests, one of which took place in the Pokhran region. This event resulted in a significant and disruptive change in the political and geographical dynamics of South Asia. This conduct incited indignation among members of the international community and escalated tensions in the already volatile region. The global impact of the event reverberated worldwide, significantly influencing the discourse surrounding nuclear proliferation.

The decision to conduct the tests was driven by several factors. India cited the evolving security environment in the region, including perceived threats from China and Pakistan, as well as the need to establish a credible minimum deterrent. The tests aimed to demonstrate India's nuclear capabilities and strengthen its national security posture. The tests strained India's relations with key allies and partners. The United States, in particular, expressed disappointment and imposed economic sanctions on India. The global non-proliferation regime also faced challenges as the tests were seen as undermining efforts to curb the spread of nuclear weapons. The Pokhran tests had strategic implications for India. The country's nuclear capabilities were now overtly acknowledged, leading to a shift in its strategic posture. The tests were considered a demonstration of India's ability to defend its security interests and were seen by some as a response to global power dynamics.

4.3 The Kargil Conflict

In February 1999, Indian Prime Minister Atal Bihari Vajpayee embarked on a significant diplomatic journey by bus to Lahore, Pakistan. This event occurred amidst a tense atmosphere. The trip aimed to foster peace and diplomatic dialogue between the two countries, demonstrating courage and symbolism. The bus voyage reached its climax with the signing of the Lahore Declaration alongside his Pakistani counterpart, Nawaz Sharif. The declaration provided a structured plan for enhancing the relationship between the two parties and finding solutions to long-standing conflicts, such as the Kashmir dispute.

Regrettably, the delicate tranquillity that was facilitated by the Lahore Declaration endured only momentarily. The conflict in Kargil exposed the volatile nature of the territorial dispute, emphasising the inherent risks associated with nuclear-armed neighbouring countries engaging in hostilities.

In May 1999, Indian intelligence uncovered that Pakistani forces, along with militants, had surreptitiously entered Indian territory in the Kargil area, which goes against the principles of the Lahore Declaration. The trespassers had breached the Line of Control and seized advantageous positions in the mountains, including posts that were normally abandoned by the Indian Army during the winter season. The detection of the incursion resulted in a large-scale military confrontation. The Indian Army initiated "Operation Vijay" with the objective of expelling the trespassers and establishing security in the area. The conflict occurred in a rugged and elevated hilly region, which posed significant challenges for the combatants. The Indian Air Force played a pivotal role in delivering aerial assistance.



In July 1999, India effectively reestablished its authority over the Kargil region. Pakistan, compelled by international pressure, withdrew its military forces from the region. The battle underscored the perils linked to neighbouring countries possessing nuclear weapons and participating in acts of aggression. The Kargil Conflict concluded with a reestablishment of the previous state of affairs, however it had enduring consequences for the relations between India and Pakistan. The Kargil Conflict, which took place after both nations conducted nuclear tests in 1998, highlighted the delicate security situation in the region and emphasised the necessity of diplomatic initiatives to resolve longstanding disagreements and avoid further escalation.

4.4 Navigating Political Landscape

From 1999 to 2014, the political situation in Kashmir was characterised by a sequence of noteworthy occurrences that influenced the future of the area. During the beginning of this time, the Vajpayee government implemented decisive measures to address and resolve conflicts. In the year 2000, Vajpayee declared a unilateral ceasefire, sometimes referred to as the "Ramzan Ceasefire," with the intention of fostering a favourable environment for negotiation. This signified a deviation from the conventional method, demonstrating a readiness to tackle the enduring problems in the area.

Notwithstanding the truce, the political landscape remained highly unstable. The quest for independence and the right to govern oneself continued, marked by sporadic outbursts of violence. The Hurriyat Conference, an amalgamation of secessionist factions, played a pivotal role in expressing the desires and ambitions of the Kashmiri populace. The All Parties Hurriyat Conference (APHC) emerged as a strong advocate for a political resolution to the conflict.

In the later years of Vajpayee's tenure and the subsequent administrations under Manmohan Singh, there was a difficult task of striking a balance between addressing the valid concerns of the people of Kashmir and safeguarding the territorial unity of India. The Armed Forces Special Powers Act (AFSPA) continued to be a controversial matter, as concerns regarding human rights led to calls for its abolition. The intricate balance between state security imperatives and the necessity for political accommodation characterised the political discussion in Kashmir at this time.

Amidst the complex political dynamics in the region, the Peoples Democratic Party (PDP) emerged as a prominent participant, presenting a distinct political storyline. Established in 1999, the PDP presented itself as a mediator between the desires of the populace and the necessities of the Indian government. The policy placed significant importance on a 'healing touch' approach, aiming to tackle the socioeconomic aspects of the conflict.

The transition from Vajpayee's administration to Manmohan's administration represented a continuation of the endeavour to tackle the intricate political challenges of Kashmir. Nevertheless, obstacles endured, and the pursuit of a viable political resolution remained elusive. The complex interaction of political participants, both within Kashmir and at the national level, persisted in influencing the future of this conflict-ridden territory.

4.5 Navigating Economic Landscape

The economic landscape in Kashmir between 1999 and 2014 was closely interconnected with the existing political circumstances. The administration led by Vajpayee, acknowledging the interconnectedness between economic progress and resolving conflicts, implemented the 'healing touch' strategy. This programme was designed to promote economic development as a strategy for addressing the fundamental problems in the region. Nevertheless, the insurgency and intermittent episodes of violence hindered the achievement of consistent economic progress.

The administration under Manmohan Singh persisted in its endeavours to enhance the economy in Kashmir, acknowledging the potential of economic development to significantly improve the situation. The primary focus of economic policies shifted towards the building of infrastructure and the production of employment opportunities. The Prime Minister's Reconstruction Plan and the Udaan project were enacted to tackle the problem of unemployment, namely among young people, which frequently acted as a potential catalyst for dissatisfaction. These initiatives primarily aimed to enhance skill development and create job opportunities for the youth.

However, the continuous political instability hindered economic advancement, despite the aforementioned efforts. The region encountered difficulties in recruiting investors as a result of the perceived risk linked to the conflict. The corporate sector's hesitancy to invest in an unstable climate further impeded the economic progress of Kashmir. The inherent volatility of the environment posed difficulties in formulating strategies for long-term planning and implementing sustainable economic projects.

The tourism industry, which plays a substantial role in the economy of Kashmir, was especially susceptible to the volatility in the region. The rise and fall of tourist arrivals corresponded to the variations in the security conditions. Despite attempts to stimulate economic recovery through tourism promotion, the tourism industry continued to face ongoing difficulties due to occasional outbreaks of violence and instability.

Fundamentally, the economic situation in Kashmir during this period mirrored the wider difficulties encountered by a region embroiled in strife. The relationship between economic development and

political stability highlighted the intricate nature of dealing with the diverse problems that defined the socio-economic situation in Kashmir.

4.6 Navigating Social Landscape

From 1999 to 2014, the social structure of Kashmir experienced significant changes due to the ongoing conflict, imposition of curfews, and heightened security concerns. The Vajpayee administration's 'healing touch' strategy sought to promote not only economic progress but also the cultivation of social unity. Nevertheless, the actual situation on the ground was characterised by the widespread influence of violence on the everyday existence of individuals. The field of education, which serve as a fundamental building block of any society, encountered substantial challenges. Academic calendars experienced frequent disruptions, and educational institutions encountered closures as a result of security concerns. The young individuals, frequently caught in the midst of conflicts, struggled with disrupted schooling and restricted prospects, which added to a feeling of dissatisfaction and disillusionment.

Notwithstanding these obstacles, endeavours were undertaken to foster cultural interchange and narrow disparities among populations. Diverse cultural festivals and activities are designed to cultivate a collective feeling of identity and comprehension. Civil society, acknowledging its influence in shaping the societal discourse, grew more outspoken in promoting human rights and social unity. Nevertheless, the prevailing feeling of uncertainty and apprehension continued to significantly influence the social interactions in Kashmir. The populace's mental wellbeing was profoundly harmed by the psychological consequences of residing in a conflict zone, characterised by the persistent menace of violence and the pervasive uncertainty over the future. The rise of trauma, stress, and post-traumatic stress disorder (PTSD) has made it imperative to address the mental health dimension of the battle.

Women in Kashmir encountered distinct obstacles, as the conflict affected them in several complex ways. Women frequently had to undertake responsibilities usually monopolised by men due to the disturbance of regular routines. The elevated male mortality resulting from the conflict resulted in a substantial increase in households led by women, hence

Snapshot of Economic & Social Indicators:

Voter Turnout: 65 % (Assembly Elections 2014)

SGDP: ₹ 2.30 lakh crore

Debt-to-GDP ratio: 49%

Maternal Mortality Rate (per lakh live birth): 47

Infant Mortality Rate (per 1000 live birth): 17

Armed Forces Deployed: 1.3 lakhs

Annual Inflow of Migrant Workers: 4 lakh

Past Event Photos



hence causing a transformation in traditional gender roles and dynamics.

Overall, the social situation in Kashmir during this period involved an intricate combination of resilience, cultural liveliness, and the significant influence of violence on daily existence. The endeavour to promote social unity and overcome divisions within communities encountered significant obstacles. However, the determination of individuals and the proactive involvement of civil society played a vital part in navigating the volatile social environment.

The religious composition in Kashmir, characterised by its historical pluralism, exerted a pivotal influence on the events that unfolded between 1999 and 2014. The predominant Muslim populace peacefully coexisted with religious minority groups, resulting in an intricate fabric of many identities. During this time, the convergence of religion and politics became notably evident, adding to the complex dynamics of the Kashmir conflict.

The government led by Vajpayee made efforts to foster interfaith dialogue and inclusivity. Nevertheless, these endeavours encountered obstacles among the surrounding political upheaval. The escalation of radicalisation and the impact of external factors have added complexity to the religious aspects of the conflict. The religious polarisation in the region stemmed from the wider tensions existing among the various religious communities.

The government led by Manmohan Singh faced the challenges posed by the intricate nature of religious

The Amarnath land transfer issue in 2008 showcased the complex interaction between religious emotions and political manipulation. The government's endeavour to tackle the issue was met with vehement protests, highlighting the profound emotional attachment between the people of Kashmir and their religious affiliations.

Throughout this period, there were clear efforts to achieve a harmonious coexistence between different religious beliefs while maintaining the unity and coherence of the nation. The intricacies of the Kashmir conflict were frequently intensified by external forces, with religious factors having a substantial part in defining the storyline. The religious affiliation of Kashmir became a central focus, both domestically and internationally, as regional and global actors used these feelings for strategic objectives.

From 1999 to 2014, the religious situation in Kashmir was marked by a complex interaction between various religious identities and their connection to the wider political environment. The religious variety in the region encountered difficulties due to the divisive impact of the conflict, highlighting the necessity for a sophisticated strategy that acknowledges and honours the different religious communities living together in the region.

In addition to the above-mentioned overarching themes, other subtle elements and little particulars influenced the complex fabric of Kashmir from 1999 to 2014. An essential aspect was the dynamic transformation of the media



environment. Both traditional and new media had significant impacts on moulding public opinion and distributing information. The press, despite occasional limitations due to security concerns, continues to be a vital platform for expressing a wide range of viewpoints and ensuring that people in positions of authority are held responsible.

The influence of transnational terrorism on the internal workings of Kashmir is of utmost significance. The incursion of armed extremists and the backing they received from outside forces exacerbated the security dilemmas confronted by the region. The India-Pakistan relationship is influenced by geopolitical factors, which frequently manifest on the ground in Kashmir, making it more challenging to achieve a lasting solution.

The humanitarian dimension of the conflict was clearly apparent in the predicament of internally displaced individuals. The compelled displacement of communities resulting from the conflict gave rise to a humanitarian situation necessitating attention and remediation. The inhabitants of border areas, who are continuously exposed to cross-border shelling and violence, encounter additional difficulties that contribute to the overall human cost of the conflict.

During this period, environmental challenges, which are often overlooked due to the prominence of political and security concerns, also emerged. The visibility of deforestation, ecological degradation, and the environmental consequences of conflict were progressively apparent. The region's ecosystem encountered challenges that disrupted its delicate equilibrium, and the long-term ramifications of these environmental pressures further complicated the already intricate concerns confronting Kashmir.

Demographic shifts were another crucial factor. The influence on the portrayal of ethnic and religious communities, together with patterns of migration, modified the social structure of the area. The demographic changes have prompted inquiries on identity, representation, and the ramifications for the political and social trajectory of Kashmir.

CHAPTER - 05

ARTICLE 370

5.1 Reading of Article 370

Temporary provisions with respect to the State of Jammu and Kashmir -

1. *Notwithstanding anything in this Constitution,*

(a) *the provisions of Article 238 shall not apply in relation to the State of Jammu and Kashmir;*

(b) *the power of Parliament to make laws for the said State shall be limited to*

(i) those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, are declared by the President to correspond to matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India as the matters with respect to which the Dominion Legislature may make laws for that State; and

(ii) such other matters in the said Lists as, with the concurrence of the Government of the State, the President may by order specify Explanation For the purposes of this article, the Government of the State means the person for the time being recognised by the President as the Maharaja of Jammu and Kashmir acting on the advice of the Council of Ministers for the time being in office under the Maharajas Proclamation dated the fifth day of March, 1948;

(c) *the provisions of Article 1 and of this article shall apply in relation to that State;*

(d) *such of the other provisions of this Constitution shall apply in relation to that State subject to such exceptions and modifications as the President may by order specify: Provided that no such order which relates to the matters specified in the Instrument of Accession of the State referred to in paragraph (i) of sub clause (b) shall be issued except in consultation with the Government of the State: Provided further that no such order which relates to matters other than those referred to in the last preceding proviso shall be issued except with the concurrence of that Government.*

2. *If the concurrence of the Government of the State referred to in paragraph (ii) of sub clause (b) of clause (1) or in the second proviso to sub clause (d) of that clause be given before the Constituent Assembly for the purpose of framing the Constitution of the State is convened, it shall be placed before such Assembly for such decision as it may take thereon*

3. *Notwithstanding anything in the foregoing provisions of this article, the President may, by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify: Provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification.*

5.2 Detailed Analysis

Drafted by N Gopalaswami Ayyangar, Article 370 of the Indian Constitution was a provisional clause that conferred distinct self-governance to the territory of Jammu and Kashmir. The provision was incorporated into the Constitution in 1949, granting the state the ability to establish its own constitution and exercise self-governance in all areas save for foreign affairs, defence, finance, and communications. This article was produced as a consequence of the Maharaja of Jammu and Kashmir signing the Instrument of Accession in 1947, which permitted the state to join India. The transitory nature of Article 370 was evident in its designation, specifically referring to it as a "provision of a temporary nature pertaining to the State of Jammu and Kashmir."

The inclusion of Article 370 in the Indian constitution, which granted special status and autonomy to Jammu and Kashmir, held great importance and was unparalleled in the framework of Indian federalism. The state possessed its own constitution, an independent flag, and exercised autonomy in legislating for its inhabitants. The provision also limited the enforcement of Indian laws in the state, allowing only those legislation enacted by the Indian Parliament with the agreement of the Jammu and Kashmir administration to be valid. The arrangement was a reflection of the sensitive nature of Jammu and Kashmir's accession to India, considering the region's largely Muslim population and its close proximity to Pakistan.

An important feature of Article 370 was its restriction on the authority of the Indian Parliament to make laws concerning Jammu and Kashmir. The state possessed an independent constitution and flag, with the authority of the Central government limited to defence, foreign affairs, finance, and communications. The granting of autonomy was intended to uphold the unique conditions surrounding Jammu and Kashmir's accession to India. Nevertheless, throughout the years, this independence has become a topic of contention and discussion.

The political, social, and economic dynamics inside the territory were significantly influenced by the unique privileges conferred by Article 370. Politically, it resulted in the formation of a distinct identity for Jammu and Kashmir, which set it apart from the rest of India. The territory possessed its own constitution and enjoyed a significant level of autonomy, resulting in a distinct feeling of detachment among its inhabitants. The state's distinct identity was frequently expressed in its political discourse, and calls for increased self-governance or even secession garnered support in certain circles.

In terms of social dynamics, the special status has significant consequences for the demographic makeup of Jammu and Kashmir. The state's sovereignty enabled it to choose the criteria for permanent residency, and this authority was utilised to limit property rights and other benefits exclusively to permanent residents. This engendered a feeling of marginalisation for individuals who did not fulfil the requirements, namely refugees who arrived in the state during the partition of India in 1947. The provisions of Article 370 played a significant role in shaping the social structure of the state, resulting in a multifaceted and frequently strained social atmosphere.

From an economic standpoint, Article 370 provided Jammu and Kashmir with the ability to have its own constitution and enact legislation regarding property ownership and employment rights. This had both favourable and unfavourable repercussions. On one side, it granted the state the adaptability to formulate policies that were tailored to its own requirements and conditions. Conversely, it also erected obstacles to external investment and progress, as enterprises and sectors encountered limitations and unpredictability in manoeuvring through the state's distinctive legal structure.

5.3 Understanding Article 35A

The importance of Article 35A, which was incorporated into the Constitution via a Presidential decree in 1954, should not be underestimated when comprehending the consequences of Article 370.

Following Jammu and Kashmir's integration into the Indian Union on October 26, 1947, the Maharaja ceded authority over defence, foreign affairs, and communications to the Government of India. The formalisation of this arrangement occurred via Article 370 of the Indian Constitution and the accompanying Constitutional Order of 1950. The dynamic interaction between the State and the Union resulted in the 1952 Delhi Agreement, a crucial milestone where both administrations consented to grant Indian citizenship to all inhabitants of the state. Nevertheless, an important distinction was made: the state would maintain legislative jurisdiction over the rights and privileges of its inhabitants, who would be officially recognised as permanent residents.

During his speech to the Lok Sabha on the Delhi Agreement, Prime Minister Nehru emphasised the delicate matter of citizenship. He recognised the historical concerns in Kashmir about outsiders acquiring land, while also emphasising the importance of granting full citizenship to the region. The Maharaja enacted legislation that imposed restrictions on non-residents from acquiring land in Kashmir, with the intention of safeguarding the region's distinct identity. The Kashmiri government's decision to maintain limitations on land acquisition was driven by the apprehension of an influx of persons who are primarily motivated by wealth and lack other qualifications. Nehru saw this worry and articulated the imperative to confront it, underscoring the significance of safeguarding the current entitlements of the state's populace.

The essence of the agreement resided in the recognition that the State Assembly of Jammu and Kashmir would possess the power to establish and control the entitlements and prerogatives of its permanent citizens. This included vital elements such as the purchase of real estate, appointments to positions, and related issues. Nehru stated that the current state laws would remain in effect till the State legislature established its own restrictions. This emphasised the temporary nature of the agreement, enabling the gradual adjustment of laws to the changing requirements and ambitions of the area.

After the Constituent Assembly of Jammu and Kashmir accepted the stipulations of the Delhi Agreement, the President of India issued The Constitution (Application to Jammu and Kashmir) Order in 1954. This ruling granted Indian citizenship to the inhabitants of the state, in accordance with the conditions of the agreement. Concurrently, Article 35A was incorporated into the Indian Constitution, granting the State legislature of Jammu and Kashmir the authority to define the rights of its permanent residents. This constitutional clause played a vital role in forming the unique legal structure that governs the region.

The introduction of Article 35A brought about a notable change in the constitutional framework, granting the State legislature the power to establish and control the rights and benefits of its permanent citizens. This not only resolved the concerns raised by the leaders of Jammu and Kashmir but also implemented a legislative framework to protect the distinct cultural and demographic characteristics of the territory. Over time, Article 35A sparked debate and disagreement, as critics contended that it sustained inequality and impeded the full assimilation of Jammu and Kashmir into the wider Indian system.

Article 35A sparked controversy since it was perceived by certain individuals as discriminatory and in conflict with the values of equality inherent in the Indian Constitution. Critics contended that it maintained social and economic disparities inside the state by favouring specific groups over others on the basis of their resident status. The provision also impeded the complete assimilation of Jammu and Kashmir into the rest of India, as it established a legal structure that was separate from the rest of the nation.

CHAPTER - 06

BJP, ARTICLE 370 AND ABROGATION

6.1 BJP's Agenda

The Bhartiya Janta Party's (BJP) origins lie in the Bharatiya Jana Sangh, popularly known as the Jana Sangh, founded by Shyama Prasad Mukherjee in 1951 in response to the politics of the dominant Congress party. It was founded in collaboration with the Hindu nationalist volunteer organisation, the Rashtriya Swayamsevak Sangh (RSS), and was widely regarded as the political arm of the RSS. The BJP approach towards Kashmir has been marked by a dedication to national assimilation, safeguarding, and progress. The party has continuously called for a resolute position against separatism and terrorism in the region. Historically, the BJP has expressed disapproval of



what it saw as conciliatory measures towards separatists in Kashmir. The party advocates for a proactive strategy to tackle security issues and foster regional growth. The primary focus has been on fostering economic growth, creating job opportunities, and implementing infrastructure initiatives in order to gain the confidence of the residents of Jammu and Kashmir.

The BJP has consistently expressed disapproval towards Article 370. The party has said that it established a distinct status for Jammu and Kashmir, which was incongruous with the concept of a unified India. The BJP has consistently stated in its electoral manifestos its dedication to repeal or amend Article 370. The party held the view that this distinctive status had resulted in separatism and impeded the assimilation of Jammu and Kashmir with the remainder of the nation.

In the 2014 Lok Sabha elections, the BJP reaffirmed its position on Article 370 in its manifesto. The manifesto expressed the party's dedication to revoking Article 370 and Article 35A, which provided special privileges to the inhabitants of Jammu and Kashmir.

6.2 Events Leading to Abrogation of Article 370

Since assuming office in 2014, Prime Minister Narendra Modi and his cabinet have implemented multiple efforts to tackle the challenges in Kashmir. During the early years, the primary emphasis was placed on matters of governance, development, and economic endeavours. Nevertheless, the circumstances in the valley continued to be difficult as a result of persistent problems associated with militancy and separatism.

In 2015, the Bharatiya Janata Party (BJP) established a coalition administration with the People's Democratic Party (PDP) in Jammu & Kashmir. However, this arrangement eventually disintegrated in 2018. Throughout this time frame, there were occurrences of social and political turmoil in the valley, and the government encountered censure for its management of the circumstances.

The years 2016 and 2017 experienced events such as the turmoil that ensued after the assassination of Burhan Wani, a commander of the Hizbul Mujahideen, and the accompanying security difficulties. The administration received backlash for its management of these circumstances, with apprehensions expressed regarding infringements on human rights and the deployment of pellet guns.

The Pulwama terrorist assault in February 2019 had a substantial impact on the decision to repeal Article 370. An individual carrying out a suicide attack specifically targeted a group of Indian paramilitary soldiers, resulting in a significant number of fatalities and injuries. The attack escalated the tensions between India and Pakistan, given that the militant group responsible, Jaish-e-Mohammed, operated from Pakistan. India retaliated to the Pulwama assault by carrying out precision airstrikes in Balakot, Pakistan, with the specific objective of striking a purported terrorist training facility. Subsequently, the situation intensified, resulting in airborne confrontations involving Indian and Pakistani fighter aircraft. The occurrences in February 2019 intensified attention towards national security and the state of affairs in Jammu and Kashmir.

Notwithstanding endeavours to foster governance and development in Jammu and Kashmir, there remained enduring difficulties. The BJP-led government, under Prime Minister Narendra Modi, commenced several initiatives; yet, the region persisted in grappling with economic and social challenges. The government perceived that the unique status conferred by Article 370 posed a hindrance to the complete achievement of these development endeavours.

The security situation in Jammu and Kashmir has been a longstanding source of apprehension. The region was experiencing a continuous occurrence of terrorism, stone-pelting, and cross-border infiltrations, which

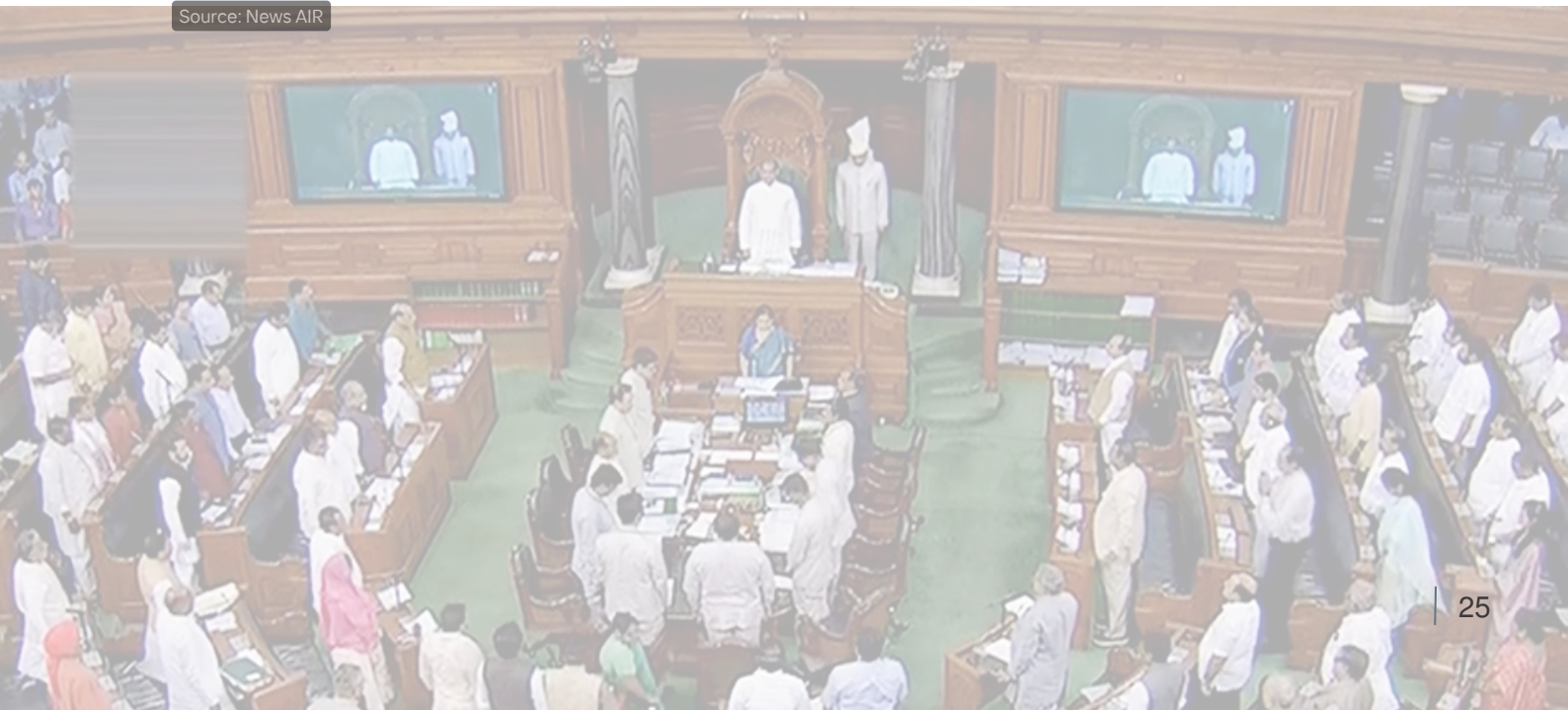
contributed to a prevailing sense of instability. The Indian government faced mounting pressure to appropriately tackle these security challenges.

6.3 The Abrogation

The abrogation of Article 370 on August 5th, 2019 was a momentous event in the political sphere of India. The decision to repeal Article 370 was made through the Jammu and Kashmir Reorganisation Bill, which aimed to divide the state into two distinct Union Territories: Jammu and Kashmir, and Ladakh. The discourse pertaining to the annulment of Article 370 was fervent and deeply divided, encompassing many perspectives from various political factions, scholars, and the populace at large.

The ruling Bharatiya Janata Party (BJP) and its allies contended that the special status accorded to Jammu and Kashmir under Article 370 hindered progress in the area. They argued that the decision would result in increased economic prospects, enhanced governance, and enhanced integration of Jammu and Kashmir with the rest of the nation. However, numerous opposition parties and politicians, notably those from Jammu and Kashmir, strongly objected to the revocation. They contended that the action was unlawful and infringed upon the state's special status. There was a widespread belief that the decision was made without adequate consultation with the residents of Jammu and Kashmir, which undermined the concepts of federalism and democratic governance.

Source: News AIR



The revocation of Article 370 was accomplished through a sequence of constitutional and legal measures. The initial phase entailed the presentation of the Jammu and Kashmir Reorganisation Bill in Parliament. The bill aimed to repeal Article 370 and restructure the state into two distinct Union Territories. The administration said that the action was important to tackle the enduring problems in the area and to foster socio-economic progress. The measure needed to be approved by a majority in both the Lok Sabha and the Rajya Sabha. The administration, led by the Bharatiya Janata Party (BJP), enjoyed a decisive majority in the Lok Sabha. However, it encountered a more formidable scenario in the Rajya Sabha, where it required the backing of other political parties in order to attain a majority. The debates in both chambers were characterised by vehement disputes, as members of the opposition voiced apprehensions regarding the decision's unilateral nature and its potential consequences for the region.

An important reason supporting the abrogation was the claim that Article 370 had become obsolete and was originally intended as a transitory measure to aid in the unification of Jammu and Kashmir with the Indian Union. Over time, opponents have contended that the unique status has resulted in a feeling of isolation among the inhabitants of the area and impeded economic progress. The advocates of the abrogation argued that eliminating this particular provision would enable the government to facilitate increased investment, progress, and incorporation of Jammu and Kashmir into the rest of the nation. Another

justification for the abrogation was the necessity for a more standardised legal and administrative framework throughout the nation.

The legal dispute at the Supreme Court introduced an additional level of intricacy to the matter, as legal professionals and constitutional scholars provided their analysis of the points put up by both parties.

Nevertheless, the decision encountered significant resistance from several sources. An issue that opponents emphasised was the method by which the decision was carried out. Critics contended that the government's decision to abrogate Article 370 was executed without adequate consultation with the residents of Jammu and Kashmir, so undermining the tenets of federalism and democratic governance. They argued that a choice of such magnitude, carrying extensive consequences, should have undergone a more comprehensive and democratic procedure. Another significant source of disagreement was the potential influence on the socio-political structure of the region. Detractors of the abrogation contended that it may result in heightened estrangement among the populace of Jammu and Kashmir, intensifying preexisting conflicts and potentially inciting separatist inclinations. Some individuals perceived the action as a deviation from the historical and political understanding that served as the foundation for Jammu and Kashmir's integration into India in 1947.

Source: News AIR



6.4 Aftermath

The abrogation of Article 370 also had repercussions on the ground in Jammu and Kashmir. The region witnessed heightened security measures, including restrictions on movement, communication blackouts, and the deployment of additional troops.

The decision by the Indian government to withdraw the special status of Jammu and Kashmir, which allowed it to have self-governance inside the Indian Union, resulted in extensive demonstrations and prompted apprehensions over infringements on human rights. The Indian government implemented a lockdown and communication blackout as a deliberate measure to avert any possible negative consequences and retain authority over the situation. The region underwent a complete disruption of mobile and internet services, resulting in a severe communication blackout. This made it exceedingly difficult for inhabitants to establish connections with both their local community and the wider globe. The imposition of a curfew and limitations on mobility fostered a feeling of seclusion and intensified unease inside the area. Moreover, the introduction of supplementary security forces, such as paramilitary personnel, heightened the ambience of uncertainty and apprehension.

Following the event, a sequence of actions was taken that triggered criticism and elicited concerns. The region was subjected to a comprehensive lockdown, which entailed stringent limitations on mobility, public assemblies, and communication. The purpose of this lockdown was to uphold peace and order, preempt potential protests, and guarantee the seamless execution of the constitutional modifications. Nevertheless, it resulted in considerable adversities for the indigenous inhabitants, impacting their day-to-day existence, commercial undertakings, and availability of vital amenities. The implementation of a communication blackout, which entailed the cessation of internet and phone services, exacerbated the region's isolation and impeded the dissemination of information, both internally and outside within Jammu and Kashmir. Critics contended that these policies eroded democratic values by curbing the freedom of expression and fostering an atmosphere of ambiguity.

Nevertheless, the arguments were focused on upholding legal principles, averting potential turmoil, and guaranteeing the seamless execution of the constitutional modifications. The primary rationale presented by the administration was the necessity to tackle security concerns in the region. The Kashmir Valley has a long history of militancy, and the administration believes that these steps are necessary to prevent any potential eruption of violence or terrorist acts following the important constitutional reform. The augmented deployment of security troops was presented as a preemptive action to counteract any endeavours to disturb peace and stability.



The government emphasised that the lockdown, communication blackout, and deployment of additional forces were temporary measures designed to be lifted as the situation returned to normal. The objective was to establish a favourable atmosphere for the execution of constitutional modifications and to enable a gradual restoration of normalcy in the region.

A significant political change that occurred as a result of the abrogation was the division of the former state of Jammu and Kashmir into two distinct Union Territories - Jammu & Kashmir and Ladakh. The implementation of this action was accompanied by the restructuring of the administrative and political framework of the region. The decision to demote the status of Jammu and Kashmir from a state to Union Territories elicited varied responses. Advocates asserted that it would facilitate progress and assimilation with the rest of India, while detractors stated that it eroded the region's political self-governance and distinctiveness.

The political changes also had ramifications for the representation and governance of the recently established Union Territories. The central government designated Lieutenant Governors to supervise the administration, indicating a change in the power dynamics between the central authority and the region. The reorganisation prompted discussions regarding democratic values and the right to self-determination, as it was implemented without the local population's permission through democratic means.

Globally, the repeal of Article 370 attracted scrutiny and evoked diverse reactions from various nations and international entities. The comments were frequently shaped by geopolitical considerations, with certain governments endorsing India's sovereignty while others voicing apprehension regarding the potential ramifications for regional stability. The United States, for instance, predominantly endorsed India's stance, highlighting its status as an internal affair, whilst nations such as Pakistan and China criticised the decision and expressed apprehensions regarding the rights of the Kashmiri populace.

Pakistan and China, two adjacent nations with territorial disputes in certain areas of Kashmir, had significant influence in shaping the situation following the abrogation. Pakistan strongly objected to the Indian government's decision, perceiving it as a violation of international law and the rights of the Kashmiri people. Both countries were involved in diplomatic disputes, leading Pakistan to reduce diplomatic relations with India, dismiss the Indian High Commissioner, and halt bilateral trade. There has been a rise in tensions along the Line of Control (LoC), which serves as the unofficial boundary between India and Pakistan in the region of Kashmir, due to incidents of cross-border clashes.

China, although not directly involved in the Kashmir conflict, has also voiced apprehensions about the alterations in the region's status, notably with regards to Ladakh. The reason for China's resistance was based on its territorial assertions in the Aksai Chin region, which is under China's administration but is also claimed by India as a part of Ladakh. The geopolitical interactions between India and China introduced an additional level of intricacy to the situation, as the two countries found themselves in disagreement not only on Kashmir but also in relation to wider regional and global matters.

The United Nations has had a significant role in the Kashmir dispute, with numerous resolutions specifically addressing the problem throughout the years. Following the revocation of Article 370, the United Nations raised apprehensions on the situation and urged all parties involved to exercise self-control. Nevertheless, the response was prudent, mirroring the intricate geopolitical factors in motion. The significance of UN resolutions in the present circumstances has been a matter of contention, with some asserting that they ought to be utilised as a foundation for settling the war, while others argue that the geopolitical dynamics have changed, making it difficult to strictly adhere to these decisions.

6.5 Human Rights, Militarisation, and Security Challenges

The Human Rights Watch (HRW) World Report 2021 highlights concerns on the occurrence of arbitrary arrests, detentions, and limitations on freedom of movement in Kashmir. The research emphasises the utilisation of the Public Safety Act (PSA) to apprehend persons without a trial for prolonged durations, prompting concerns over the adherence to legal procedures and the safeguarding of fundamental human rights. Furthermore, according to Amnesty International's 2020 report on Jammu and Kashmir, the prolonged communication embargo and internet shutdown significantly impeded the dissemination of information and hindered people's ability to obtain vital services. The lockdown not only curtailed the exercise of freedom of expression but also obstructed the capacity of the international community to observe and address the situation.

An analysis of the long-term effects of militarisation on civilian life in Kashmir unveils an intricate interaction of various elements that influence the local population. The Jammu Kashmir Coalition of Civil Society (JKCCS) has documented a substantial number of civilian casualties in the region, as outlined in their paper titled "Structures of Violence: The Indian State in Jammu and Kashmir." This report details instances of extrajudicial killings, torture, and the disproportionate use of force by security personnel, which have resulted in a pervasive sense of fear and lack of safety among the civilian population.



Source: Scroll.in

Furthermore, the process of militarisation has resulted in widespread displacements, as several individuals have been compelled to abandon their residences as a consequence of armed conflict and security measures. The Internal Displacement Monitoring Centre (IDMC) has documented the difficulties experienced by internally displaced individuals (IDPs) in Kashmir, such as insufficient housing, limited availability of education and healthcare services, and the psychological distress caused by the displacement and the consequent loss of homes and sources of income.

The repercussions for civilian life are not solely confined to physical injury but also encompass the wider social structure. Reports from organisations like Médecins Sans Frontières (MSF) emphasise the mental health emergency in Kashmir, where a substantial section of the population is suffering from signs of trauma, anxiety, and depression. The extended duration of being exposed to violence, uncertainty, and the presence of a militarised atmosphere has led to a decline in the mental well-being of the population.

To comprehensively examine the security issues encountered by India in the region, it is imperative to grasp the intricate geopolitical dynamics and the existence of rebel factions. The region has been a focal point for numerous insurgencies, characterised by factions striving for self-governance or sovereignty. The research by the Institute for Defence Studies and Analyses (IDSA) titled "Insurgencies in Jammu and Kashmir: An Appraisal" offers a thorough examination of the past and present aspects of insurgencies in the area.

MAP OF UT OF JAMMU & KASHMIR AND UT OF LADAKH



India's security system continues to be greatly concerned about cross-border infiltration. As per the South Asia Terrorism Portal (SATP), there have been cases of infiltration from the other side of the Line of Control (LoC), resulting in armed clashes between infiltrators and security forces. This not only presents an immediate peril to the security of the region but also hinders endeavours to achieve a long-term settlement to the Kashmir dispute.

India's security concerns in Kashmir are exacerbated by the participation of external entities. The paper by the Carnegie Endowment for International Peace titled "Kashmir: New Delhi's Policy Dilemmas" emphasises Pakistan's involvement in backing insurgent factions and promoting instability in the region. The persistent tensions between India and Pakistan, together with their longstanding rivalry, contribute to the intricate security dynamics in Kashmir.

6.6 The Supreme Court's Verdict

On December 11, 2023, the five most experienced judges of the Supreme Court approved the Union government's move to abrogate Article 370. Chief Justice DY Chandrachud, along with Justices BR Gavai and Surya Kant, jointly wrote 352 pages of the 476-page judgement. Justice S.K. Kaul

contributed to 121 pages, while Justice Sanjiv Khanna offered a concurring opinion that covered three pages.

The legal reasoning of CJI heavily relied on a declaration made by Yuvraj Karan Singh on November 25, 1949, which occurred one day before the promulgation of India's Constitution. Yuvraj Karan Singh proclaimed that the Indian Constitution's provisions would determine the relationship between Jammu and Kashmir and India. CJI Chandrachud highlighted that this statement was in direct conflict with two provisions of the Instrument of Accession -

- Paragraph 7 of the Instrument of Accession explicitly stated that it did not imply approval of "any forthcoming Constitution of India".
- Paragraph 8 confirmed that the Instrument of Accession would not undermine the authority of the Maharaja.

The proclamation made by Yuvraj clearly stated that "the provisions of the mentioned Constitution shall replace and invalidate all other constitutional provisions that are currently in force in this State and are inconsistent with it, starting from the date of its commencement."

In addition, CJI Chandrachud highlighted that there is substantial evidence in Article 370 and the J&K Constitution suggesting that a merger agreement is not necessary for Kashmir to give up its sovereignty. Article 370(1) directly and without any conditions applied Article 1 of the Constitution, which categorises J&K as a Part III State, without making any changes. Section 3 of the J&K Constitution clearly states that the State of Jammu and Kashmir is and will remain an essential part of the Union of India. Section 147 of the Constitution prohibits any changes to this provision. Hence, the Apex Court firmly stated that the Constitution of India has emerged as the supreme governing instrument of the nation.

The Chief Justice refuted the petitioners' claim that J&K's autonomy was exceptional compared to other states. He stressed that in the context of asymmetric federalism, differences in the degree of autonomy levels among states did not indicate a separate type of autonomy. However, Justice Kaul expressed a different opinion about the matter of sovereignty, referring to the Court's ruling in the case of *Prem Nath Kaul v Union of India (1959)*. He contended that J&K maintained a degree of autonomy, as Article 370 acknowledged the internal sovereignty of J&K by recognising its Constituent Assembly. Justice Khanna concurred with Justice Kaul's reasoning. CJI Chandrachud justified his view by emphasising that the creators of the Constitution placed Article 370 among the temporary and transitional provisions specified in Part XXI. Furthermore, he emphasised that the Instrument of Accession specifically specified that Article 1, which declares "India that is Bharat shall be a Union of States," extended fully to Jammu and Kashmir.

The petitioners also contended that during the President's Rule, only the authority to legislate, and not the constituent power, is passed to Parliament. CJI Chandrachud dismissed this differentiation in accordance with Article 356, highlighting that a comprehensive interpretation of "powers of the legislature" safeguards the authority of the state.

Concerning the revocation of Article 370, the CJI determined that the change of Article 367 by Constitutional Order 272 was null and void, however, the entirety of the order remained in accordance with the constitution. The Court upheld the decision to declare the end of Article 370 in Constitutional Order 273. CJI Chandrachud observed that the President's authority under Article 370(3) entails evaluating whether the conditions that warrant the application of Article 370 have come to an end. This assessment is subject to scrutiny only if there is evidence of malicious intent, which was not found in this particular instance.

The Court emphasised the constitutional hierarchy of Jammu and Kashmir being subordinate to India. It asserted that the J&K Reorganisation Act, 2019, which was passed under Article 3 of the Constitution, was legally valid. CJI Chandrachud discussed the legality of the Act, examining the differentiation between eradicating a state and its essence. Article 3 permits the modification of states in several ways, including the transformation of an administrative entity into a Union Territory. However, this change may impact its fundamental nature by eliminating its status as a state. The Apex Court, however, did not thoroughly examine whether J&K lost its "character" after being reorganised into Union Territories. Instead, they relied on the guarantee from the Solicitor General that J&K's statehood would be restored and would be unaffected by Ladakh's status as a Union Territory.

Justice Kaul proposed the creation of a "truth and reconciliation Commission" similar to the one established in South Africa after the apartheid era, in an emotional conclusion. He emphasised the need for immediate action, expressing apprehension about a generation that is developing a sense of mistrust. Recognising the Court's limited authority to guide the Union, the speaker contended that transitional justice is encompassed by transformative constitutionalism. This highlights the joint obligation of both State and non-state entities to address human rights abuses. The speaker supported this argument by referring to previous cases such as *Vishaka v State of Rajasthan (1997)*.

CHAPTER - 07

KASHMIR - ON THE PATH OF HEALING

In the northern regions, where the celestial domains intersect with the terrestrial realm, lies a land of incomparable splendour and enigma. The Himalayas, known as the supreme mountain range, majestically overlooks this captivating domain. The valley of Kashmir is located inside a protective surrounding and is considered a remarkable treasure of nature.

“अस्त्युत्तरस्यां दिशि देवतात्मा हिमालयो नाम नगाधिराजः।”

- Kalidasa's Kumarsambhavam

The historical account of Kashmir was intricate since it traced its origins through a combination of religious variety, the rise and fall of Mir, Durrani, Mughal and Dogra dynasties, and treaties throughout the colonial era. Sheikh Abdullah's rise in the 20th century was a crucial turning point that reflected the socio-political forces that influenced the future of Kashmir. The Quit Kashmir campaign represented the desires of the people among nationalist sentiments. The consequences of the 1947 division gave rise to geopolitical tensions, which were further intensified by the signing of the Instrument of Accession. After 1971, there was an ongoing susceptibility to external threats and intricate geopolitical circumstances.

The forced migration of the Kashmiri Pandit population in the early 1990s was a sorrowful event that underscored the consequences of political turmoil, insurgency, and communal strife. The attempts to resolve the Kashmir problem under the leadership of Prime Minister PV Narasimha Rao encountered difficulties, as ongoing conflicts and discussions on the efficacy of restoration efforts persisted.

The period spanning from 1999 to 2014 witnessed a profound and far-reaching transformation in Kashmir, encompassing various aspects like as politics, economy, society, and religion. This era was marked by changes in the political environment, nuclear tests, the Kargil Conflict, and efforts to tackle various difficulties. Economic development activities encountered hindrances as a result of enduring war, which had a detrimental effect on the tourism industry. Profound transformations occurred in the social fabric, characterized by interruptions in education and the obstacles encountered by women.

The revocation of Article 370 in 2019 was a momentous and controversial action, leading to the restructuring of the area. The decision elicited both endorsement and dissent, resulting in escalated security protocols, a cessation of contact, and alterations in the political framework. Globally, there were divergent responses, with the United States endorsing India's position and others voicing apprehensions. The persistence of human rights issues, militarism, and security challenges was further complicated by the rivalry between India and Pakistan.

Jammu and Kashmir had earlier been awarded a unique status that enabled it to own its constitution, flag, and considerable autonomy in other subjects. Advocates of the abrogation contended that it resulted in the establishment of a dual system within the nation, which posed administrative difficulties and impeded the execution of national policies. In addition, the administration highlighted the prospective advantages of the decision for the residents of Jammu and Kashmir. They contended that the restructuring into Union Territories would result in enhanced governance, heightened law



Snapshot of Economic Developments Post-2019:

Accumulative Capital Investment: ₹ 84544 crore

Increase in Foreign Tourist Footfall: 700 percent

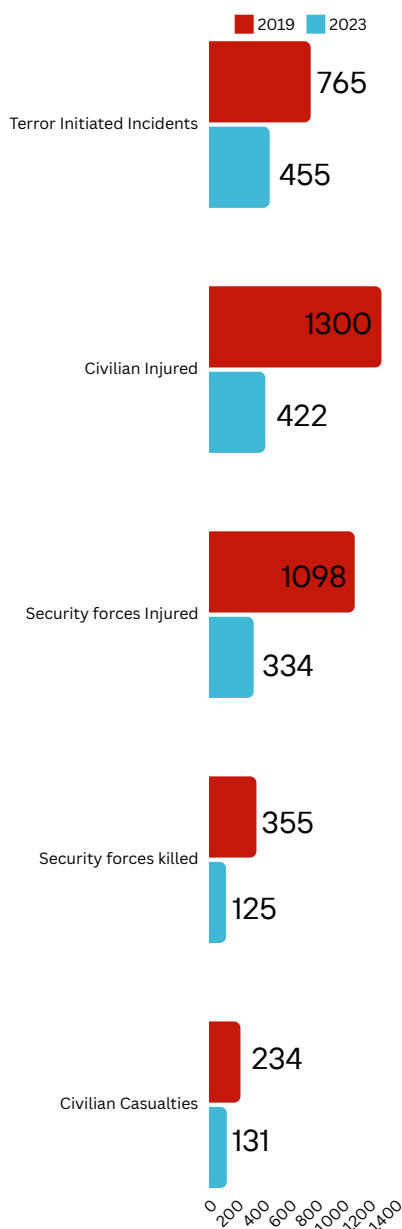
Tax revenue growth: 31 percent

Speed of Road Construction: 20.6 km per day

Rail Network Electrification: 85 percent (2022)

Power Generation Potential: 16475 MW

Snapshot of Law & Order Post-2019:



enforcement, and expanded prospects for economic advancement. The government made a commitment to attract investments, generate employment opportunities, and enable the residents of the region to actively engage in the advancement of the country.

The move has, however, brought about a period of unprecedented prosperity, advancement, security, and stability in the region. The significant impact of this revolutionary action on the local economy led the government to enact several policies to promote growth, attract investments, and create jobs. The repeal of Article 35A, which permitted non-residents to own property, is widely seen as a step towards economic unification.

India's choice to host a G-20 meeting in Jammu and Kashmir was seen as a courageous and ambitious initiative, providing a chance for international acknowledgement of the territory. The Srinagar G-20 meeting, which was the first significant international event since August 2019, encountered resistance from Pakistan. Pakistan aimed to get support from allied countries such as China, Turkey, and Saudi Arabia to place India on a blacklist. Notwithstanding the complaints, the summit served as a notable demonstration of Jammu and Kashmir's diplomatic influence on the global platform.

The implementation of a three-tier Panchayati Raj system in Kashmir, comprising more than 34,000 elected members in rural and urban local bodies, demonstrated the active involvement of citizens in grassroots democracy. The recent enactment of the law has resulted in reserving reserved seats in the assembly for the ST community,

thereby providing formerly marginalised parts of society with significant benefits. These favourable conditions in Jammu and Kashmir have resulted in a significant increase in investment proposals, rising from Rs 14,000 crore to Rs 81,122 crore over two years.

The progress in infrastructure development is evident in the substantial decrease in travel duration from Jammu to Srinagar, which has been reduced from 8-10 hours to 5-6 hours. Through the implementation of the Pradhan Mantri Gram Sadak Yojana, a total of 6,912 kilometres of roads have been built within the past three years.

Additionally, 302 bridges have been created to connect habitations that were previously isolated. In addition, NABARD has approved 875 projects with a total value of Rs. 3,639 Crore.

The energy sector has made significant progress in harnessing J&K's hydropower potential, as seen by the resurrection of projects with a total capacity of 3,000 MW in recent years. The SAUBHAGYA scheme's effective implementation of 100% electrification guarantees the achievement of universal household electricity, representing a noteworthy milestone.

Following the establishment of the Union Territory, the Government of Jammu and Kashmir has successfully filled 29,295 positions through an effective recruitment campaign, effectively resolving the long-standing problem of job shortages. Recruitment agencies have publicised a total of 7,924 job openings and have conducted examinations for 2,504 positions, showcasing their dedication to administrative efficiency and governance.

Development track post-2019





When considering the complex and intricate future of Kashmir, it is clear that a comprehensive and all-encompassing approach is of utmost importance. The political terrain, significantly shaped by the dynamics between India and Pakistan, continues to be a crucial factor. The potential for enhanced diplomatic relations among these countries has the potential to initiate a period of stability, whilst escalations could exacerbate an already intricate situation.

It is crucial to acknowledge and deal with the feelings of the Kashmiri populace in terms of social matters. The achievement of any forthcoming endeavours depends on recognising and resolving deep-rooted complaints. Efforts promoting social unity and inclusiveness are crucial for establishing confidence and guaranteeing the involvement of all parties in shaping the future of the region.

In terms of economics, development plays a crucial role in promoting stability. Allocating resources towards infrastructure, education, and healthcare has the potential to enhance the quality of life for the population, hence fostering a more stable and peaceful atmosphere.

Kashmir's economic possibilities can be further enhanced by the opportunity for cross-border trade and collaboration with neighbouring regions.

As we wrap up this study, it is evident that the fate of Kashmir depends on a fragile balance. Continual conversation, actions to create trust, and collaboration between nations are not only desirable but necessary for a favourable course of events. The achievement of any forthcoming undertakings hinges on the dedication to inclusiveness, adherence to human rights, and a cooperative strategy that satisfies the varied desires of the Kashmiri population. Only by making coordinated and determined efforts can we expect to guide Kashmir towards a future characterised by stability, prosperity, and enduring peace.

“Paradise is a promise no God bothers to keep. There’s only now, and tomorrow nothing be the same, whether we like it or not.”

- Heidi Heilig

References

1. Menon, V.P. "Integration of Indian States." Longmans, Green & Co., 1956.
2. Kak, Ram Chandra. "Kashmir: Its Aborigines and Their Exodus." Panun Kashmir, 2001
3. Kumar, Radha (co-authored). "Paradise at War: A Political History of Kashmir." Aleph Book Company, 2018.
4. Bazaz, Prem Nath. "Inside Kashmir." Kashmir Publishing Company, 1941.
5. Schofield, Victoria. "Kashmir in Conflict: India, Pakistan and the Unending War." I.B. Tauris, 2003.
6. Lamb, Alastair. "Kashmir: A Disputed Legacy, 1846-1990." Oxford University Press, 1991.
7. Rai, Mridu. "Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir." Princeton University Press, 2004.
8. Bose, Sumantra. "The Challenge in Kashmir: Democracy, Self-Determination and a Just Peace." Sage Publications, 1997.
9. Snedden, Christopher. "Understanding Kashmir and Kashmiris." Oxford University Press, 2015.
10. Jalal, Ayesha. "Self and Sovereignty: Individual and Community in South Asian Islam Since 1850." Routledge, 2000.
11. Behera, Navnita Chadha. "Demystifying Kashmir." Brookings Institution Press, 2007.
12. Copland, Ian. "India, Pakistan, and the Emergence of the Kashmir Dispute." St. Martin's Press, 2002.
13. Hasan, Mubashir. "Kashmir Under the Sultans." Aakar Books, 2015.
14. Jalal, Ayesha. "The Struggle for Pakistan: A Muslim Homeland and Global Politics." Harvard University Press, 2014.
15. Malik, Iftikhar Haider. "Kashmir: Ethnic Conflict, International Dispute." Oxford University Press, 1996.
16. Ganguly, Sumit. "Explaining the Kashmir Insurgency: Political Mobilization and Institutional Decay." *International Security*, Vol. 21, No. 2, 1996.
17. Choudhury, G.W. "Kashmir and Article 370: The Demise of Autonomy." *Economic and Political Weekly*, Vol. 54, No. 35, 2019.
18. Noorani, A.G. "Kashmir: The Origin of the Dispute." *Oxford Research Encyclopedia of Communication*, 2019.
19. Bose, Sumantra. "State, Identity, and Violence: Jammu, Kashmir, and Ladakh." *Economic and Political Weekly*, Vol. 39, No. 3, 2004.
20. Hussain, Syed Jaffar. "Kashmir: Historical Outline." *Asian Survey*, Vol. 9, No. 6, 1969.
21. Verghese, B.G. "Kashmir: A Disputed Legacy." *Survival*, Vol. 36, No. 3, 1994.
22. Ganguly, Sumit. "The Origins of War in South Asia: Indo-Pakistani Relations, 1947–1972." Oxford University Press, 1986.
23. Schofield, Victoria. "Kashmir in the Crossfire." *International Affairs*, Vol. 76, No. 2, 2000.
24. Pandita, Rahul. "Our Moon Has Blood Clots: The Exodus of the Kashmiri Pandits." Vintage Books, 2013.
25. <https://www.scobserver.in>
26. Anand, MK, "Kashmir: The Story"
27. Government of India. "Report of the State Autonomy Committee." 2000.
28. Government of Jammu and Kashmir. "Jammu and Kashmir Human Rights Report." Various Years.
29. Government of India. "White Paper on Jammu and Kashmir." 1948.



WORLD INTELLECTUAL FOUNDATION

Address: J-4, Dhawandee Building, 6,
Jantar Mantar Road, New Delhi -
110001, India

Website: www.worldintellectual.foundation

Follow us on:

 @worldintellectualfoundation

 @WIFtweets

 @worldintellectualfoundation

 @worldintellectualfoundation

Published on: 25th January, 2024

